

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-32667 of 2022 (O&M)
Date of Decision: January 17, 2023

Sunil

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Dr. Rishi Pal Singh, Advocate
for the petitioner

Mr. Gurbir S. Dhillon, AAG Haryana

Sudhir Mittal, J. (Oral)

CRM-1654-2023

Application is allowed as prayed for. Annexures P-3 to P-5 are taken on record.

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This petition has been filed for grant of regular bail in case FIR No. 0161 dated 05.03.2022, registered at Police Station Sector 32-33, Karnal, District Karnal under Sections 341, 379-A IPC (Section 379-A IPC deleted and Section 384 IPC added later on) and at the time of filing of the challan Section 379-B IPC added.

Learned counsel for the petitioner submits that the petitioner has undergone actual custody in excess of 10 months and the trial is not likely to be concluded at an early date as 10 PWs remain to be examined. The complainant as well as eye witness have not supported the prosecution. There is one other

criminal case pending against the petitioner in which he is already on bail and,

thus, he may be granted regular bail in this case also.

Custody certificate dated 16.01.2023 digitally signed by Sh. Shailakshi Bhardwaj, Deputy Superintendent of Prison, Deputy Superintendent, District Prison, Karnal has been filed in Court. The same is taken on record. A perusal thereof shows that the petitioner has undergone actual custody of 10 months and 05 days and there is one more criminal case pending against him in which he has been granted regular bail.

Learned State counsel concedes that 10 PWs remain to be examined.

Thus, keeping in view the fact that the trial is not likely to be conducted at an early date as well as the period of custody already undergone and also taking into consideration that the complainant and eye witness have turned hostile, I deem it appropriate to grant regular bail to the petitioner. The petition is allowed and the petitioner is directed to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

January 17, 2023
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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No