

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

230

2023:PHHC:135321

CRM-M-40503-2023

Date of decision: October 17th, 2023

Prithvi Raj

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Aditya Sanghi, Advocate
for the petitioner.

Mr. Rahul Mohan, Senior Deputy Advocate General,
Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of bail under Section 439 of the Code of Criminal Procedure, 1973 in case FIR No.493 dated 18.08.2020 under Section 307 of the IPC registered at Police Station City Sirsa.

2. Mr. Lokesh Sharma, Advocate, has filed power of attorney on behalf of the complainant, which is taken on record.

3. Vide order dated 24.08.2023, the complainant had been impleaded as a party to the instant petition. She is present in Court today along with her counsel. She has not disputed that she had indeed made a statement before the trial Court, which has been annexed as Annexure P-6 to the effect that she would not be averse to the petitioner i.e. her husband, being extended the concession of bail.

4. Learned counsel for the petitioner has reiterated that it is a case of false implication, which is evident from the fact that two of the witnesses i.e. father-in-law of the petitioner Tek Chand and Santosh, the

alleged eyewitness to the occurrence in question, while stepping into the witness box as PW-3 and PW-4 respectively, have not supported the case of the prosecution, as a result of which both of them have been declared hostile.

5. In the circumstances, the petitioner, who has been in custody for the last more than three years, having been arrested on 16.09.2020, be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

October 17th, 2023
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No