

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-692-2023 (O&M)
Date of Decision:-31.07.2023

SACHIN ALIAS CHILLA

... Petitioner

Versus

STATE OF HARYANA

... Respondent

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CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

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Present:- Mr. Mazlish Khan, Advocate
for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana.

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KARAMJIT SINGH, J. (Oral)

1. This second petition filed by the petitioner for grant of regular bail in case having FIR No.118 dated 18.8.2021 registered under Sections 307, 323, 324, 34 IPC (Section 201 IPC added later on) at Police Station Sadar Rewari District Rewari.
2. The counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the present case and even otherwise the petitioner is incarcerated for the last more than 1 year and 11 months and is having no criminal history and that all the material witnesses including injured-Shiv Pal stand examined, but it will take time for the trial to conclude as till date only 8 prosecution witnesses have been

examined. The counsel for the petitioner further submits that co-accused Satbir and Sandeep are already enlarged on bail by the learned trial Court itself.

3. The instant petition is resisted by the State counsel, who has furnished the custody certificate, as per which the custody of the petitioner comes out to be more than 1 year and 11 months. The State counsel while resisting the bail application submits that the petitioner is the main accused, who attacked injured-Shiv Pal with knife and injury on the person of Shiv Pal was found to be dangerous to life. However, the State counsel on instructions from ASI Om Parkash has not disputed the fact that out of total 15 witnesses till date, the prosecution has examined 8 witnesses including injured-Shiv Pal. As per the custody certificate furnished by the State counsel, the petitioner is having no criminal history
4. I have considered the submissions made by counsel for the parties.
5. Admittedly the trial is going on and prosecution has already examined 8 witnesses. As per the fresh custody certificate, the petitioner is lodged in custody for the last more than 1 year and 11 months and is having no criminal history. As the injured and other material witnesses are examined, there is no apprehension that if released on bail the petitioner is going to influence them.
6. In view of the above, as it will take considerable time for the trial to terminate, so no fruitful purpose is going to be served by prolonging judicial custody of the petitioner for indefinite period.

7. Thus, without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

31.07.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No