

2024:PHHC:138467



**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-33327-2024 (O&M)
Date of Decision:- 22.10.2024

Sandeep Alias Tinku ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sushil Sheoran, Advocate, for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana.

FIR NO.	DATE	POLICE STATION	OFFENCES
44	26.02.2021	Bandhra, District Charkhi Dadri	302 IPC

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
2. The allegations, in nutshell are that the petitioner had inflicted a blow with knife on the neck of deceased Mukesh leading to his death.
3. Learned counsel for the petitioner submits that he has falsely been implicated in the present case and that the petitioner otherwise has a clean record and is not involved in any other case. It has further been



submitted that the petitioner as on date has been behind bars for more than 3 years and 7 months and as on date only 4 out of cited 18 PWs have been examined.

4. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR and there are specific allegations against the petitioner having stabbed the deceased in his neck, his complicity is clearly evident. Learned State counsel has however, informed that the petitioner has been behind bars since 3 years 7 months and 10 days and that as on date only 4 PWs have been examined.
5. This Court has considered rival submissions addressed before this Court.
6. While it is correct that there are specific allegations levelled against the petitioner, but this Court cannot overlook the fact that the petitioner has been behind bars for a substantial period of 3 years 7 months and 10 days. On the last date of hearing i.e. on 19.7.2024 this Court while noticing that only 3 PWs have been examined had specifically directed the prosecution to produce all the PWs before the trial Court, but it appears that the prosecution has not taken necessary requisite steps to ensure conclusion of prosecution evidence. The petitioner has a clean record and is not stated to be involved in any other case and since conclusion of trial is likely to consume time, further detention of the petitioner would not serve any useful purpose.



The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

22.10.2024

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(GURVINDER SINGH GILL)

JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No