



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

214

CRM-M-3030-2025

Date of decision: January 24th, 2025

Sunil @ Sukkan @ Sunil Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sudhir Rana, Advocate
for the petitioner.

Mr. Karan Sharma, Deputy Advocate General, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of regular bail in FIR No.303 dated 11.09.2023 under Sections 307, 506, 34 of the IPC and Section 25 of the Arms Act, 1959, registered at Police Station Kasola, District Rewari.

2. Learned counsel for the petitioner submits that the petitioner's false implication in the present case is evident from the fact that both the material witnesses i.e. the complainant as well as the injured, while stepping into the witness box, had not supported the case of the prosecution, as a result of which they were declared hostile. In support, learned counsel has placed on record the deposition of both the complainant and the injured, who deposed as PW-2 and PW-3 respectively. Learned counsel submits that in the aforementioned facts and circumstances, since 19 prosecution witnesses still remain to be examined and the petitioner has been in custody since 17.09.2023, his further incarceration would serve no useful purpose.

3. Learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions, has not disputed that both the material witnesses i.e. the complainant as well as the injured had been examined before the trial Court and had since been declared hostile. He has submitted that the next date fixed before the trial Court is 03.02.2025 when some of the remaining 21 witnesses are likely to be examined. However, the learned State counsel has reiterated the allegations levelled in the FIR by contending that the petitioner had been specifically named therein and serious allegations levelled against him.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. The petitioner has been in custody since 17.09.2023. The two material witnesses, as not disputed, have turned hostile before the trial Court.

6. In the facts and circumstances as enumerated hereinabove, the instant petition is allowed. The petitioner 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.

7. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

January 24th, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No