



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

CRM-M No.23198 of 2024 (O&M)

Date of decision: 27.03.2025

Ashok

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Dr. Pankaj Nanhera, Advocate for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana for the respondent.

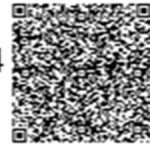
MAHABIR SINGH SINDHU, J.

Second petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (*for short* 'Cr.P.C.') for grant of bail pending trial to the petitioner in FIR No.387 dated 21.07.2012 (P-1), under Section 302 read with Section 34 & 120-B of the Indian Penal Code, 1860 (*for short* 'IPC'); Section 25 of the Arms Act, 1959, registered at Police Station Ballabhgarh City, District Faridabad.

(2) Above FIR was registered on the basis of complaint made by *de facto* complainant-Jagdish with the allegations that petitioner in connivance with co-accused committed murder of Bijender.

(4) Contends that petitioner is in custody since 06.04.2023 and all the material prosecution witnesses have turned hostile; hence, further incarceration of the petitioner would not serve any purpose.

2025:PHHC:042254



- (5) The above factual position is duly acknowledged by learned State Counsel on instructions from ASI Mahavir.
- (6) Heard learned Counsel for the parties and perused the paper-book.
- (7) Since material prosecution witnesses are not supporting the charge against the petitioner and he is in custody since 06.04.2023; therefore, there would be no justification to keep the matter pending and/or to prolong the incarceration of petitioner any further.
- (8) Consequently, present petition is allowed. Petitioner be admitted to bail pending trial on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
- (9) Petitioner shall fully co-operate with the learned trial Court without seeking any unnecessary adjournments.
- (10) The above observations be not construed as an expression of opinion on the merits of case.
- (11) It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

27th March, 2025
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>