

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

214

CRM-M-22657 of 2015

Date of Decision:22.07.2015

Narender Pal

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:-HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. P.S. Sullar, Advocate
for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana.

RAJ MOHAN SINGH, J. (Oral)

Petitioner seeks regular bail in FIR No.227 dated 11.10.2010, under Sections 419, 420, 467, 468, 471 and 120-B IPC, Police Station Naraingarh, District Ambala.

Learned counsel for the petitioner states that petitioner was not named in the FIR. His name was disclosed by co-accused Pawan Kumar and Mam Chand, who have already been granted bail.

Presently, bail has been declined to the petitioner on the ground that he was involved in 11 cases of similar types. Petitioner was granted bail in 8 of the cases. Co-accused Banarsi Dass, having similar antecedents was granted bail by this Court in CRM-M-2898 of 2013 on 01.03.2013. In one of the case against the petitioner arising out of FIR No.190 dated 01.09.2010 ,under Sections 419, 420, 467, 468, 471 and 120-B IPC, Police Station Naraingarh, District Ambala, he has been granted bail on 06.07.2015 in CRM-M-20647 of 2015.

Prayer for bail has been opposed by learned State counsel on the ground that antecedent behaviour of criminal activity of the petitioner would hamper depositions of prosecution witnesses at trial.

Offences are triable by Judicial Magistrate. Petitioner is in custody since 12.12.2014. Charges were framed on 04.03.2015. Section 437 (6) Cr.P.C provides that in a case triable by Magistrate, if trial of an accused in non-bailable offence is not concluded within a period of 60 days from the first date fixed for taking evidence, then he shall be released on bail, if he is in custody during whole of the said period, unless and until, Magistrate record reasons in writing for dismissal of the bail. No such reasons have been recorded in the order while declining bail to the petitioner.

Taking into entire facts and circumstances into consideration, petitioner is ordered to be released on regular bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Ambala.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

(RAJ MOHAN SINGH)
JUDGE

July 22, 2015
prince