

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

CRM No.M-30871of 2015

Date of decision: 06.11.2015

Jagdeep Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. K.S. Chahal, Advocate for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.330, dated 24.10.2014, registered under Sections 148, 149, 323, 324, 302 and 506 IPC, at Police Station Mahesh Nagar, District Ambala.

It is contended that the petitioner is not named in the FIR. The petitioner has been falsely implicated in the present FIR on the basis of disclosure statement of co-accused Rahul Sharma. No recovery was effected from the petitioner. The petitioner is not involved in any other FIR. He further refers to Annexure P-4 to Annexure P-7 to contend that the co-accused of the petitioner have already been granted the concession of regular bail by this Court.

The petitioner is in custody since 28.02.2015.

On the other hand, the learned State counsel opposes the prayer of bail and states that the petitioner played an active role in the commission of crime. The challan stands presented, out of total 37 witnesses, 07 witnesses have been examined.

I have heard learned counsel for the parties and perused the record.

Keeping in view the fact that the co-accused of the petitioner have already been enlarged on bail by this Court; the custody period and the fact that out of total 37 witnesses, only 07 witnesses have been examined so far, therefore, it can be safely inferred that the trial is not likely to be concluded in the near future, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

06.11.2015
sumit.k

(JITENDRA CHAUHAN)
JUDGE