

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

CRM M-7483 of 2015

Date of Decision : July 03, 2015

Ravinder

.....Petitioner

VERSUS

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE T.P.S. MANN

Present : Mr. Munish Kumar Garg, Advocate

Mr. Munish Sharma, Asstt. A.G., Haryana

T.P.S. MANN, J.(Oral)

This is the second petition filed by Ravinder-petitioner for the grant of regular bail, the first one having been dismissed as withdrawn on 3.9.2014.

The petitioner is facing trial for the offences under Sections 223/224/225/120-B/34 IPC. He is behind the bars since 19.10.2013. Ashok @ Doga, who was said to have been rescued by the petitioner stood convicted under Section 302 and allied offences of the Indian Penal Code and sentenced to undergo imprisonment for life, as mentioned in the short reply of Jail Superintendent. Therefore, the petitioner can at the most be sentenced to undergo imprisonment upto three years, if convicted, for the major offence under Section 225 IPC. Said Ashok @ Doga, after being allegedly rescued by the petitioner and others, was admittedly nabbed by the police on 25.12.2013 and is presently behind the bars. Apart from the present case, the petitioner is

involved in eight other cases, as mentioned in the short reply of the Jail Superintendent and eleven cases as mentioned in the reply of the Deputy Superintendent of Police, Rohtak. However, according to learned counsel for the petitioner, the petitioner stands acquitted in three cases and after being convicted in two other cases, sentenced to imprisonment already undergone by him. At the same time, it may be noticed that out of the twenty witnesses cited by the prosecution, only four have been examined so far and now the trial is fixed for 10.7.2015 for recording of further evidence of the prosecution. Further, during the last one year, the prosecution has not examined even a single witness.

The trial of the case is likely to take a long time. The petitioner is in custody for the last more than one year and eight months. The person, who was said to have been rescued by him from judicial custody, is already behind the bars after being apprehended by the police. Taking into consideration the totality of the circumstances, this Court is of the considered view that the petitioner deserves the concession of bail.

Resultantly, the petition is accepted and the petitioner is ordered to be released on bail on his furnishing personal bonds in the sum of Rs. 50,000/- with two sureties in the like amount to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Rohtak.

July 03, 2015
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(T.P.S. MANN)
JUDGE