

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

Crl. Misc. No. M- 30878 of 2016

Date of Decision:07.09.2016

Naveen @ Meetha and others

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr.P.S. Ahluwalia, Advocate for the petitioners.

Mr.Manish Bansal, DAG, Haryana.

HARI PAL VERMA J.(Oral)

Prayer made in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.498, dated 08.05.2016 for offence under Section 395 IPC, registered at Police Station, Kalanaur, District-Rohtak.

Learned counsel for the petitioners contends that the offence punishable under Section 395 IPC is not made out, as the petitioners-accused were three in numbers. He further submits that the petitioners are in custody since 08.05.2016 and no recovery is required to be effected from them. He also submits that trial in the case will take sufficient long time to conclude, as only the challan has been presented.

Learned counsel for the State, on instructions from ASI-Balraj Singh, submits that during the investigation, it has been found that total six persons are involved in the present case and the offence committed by the petitioners is serious in nature. Therefore, they do not deserve the

concession of regular bail.

I have heard learned counsel for the parties.

Considering the fact that petitioners are in custody since 08.05.2016, coupled with the fact that the no recovery is required to be effected from them and that no material has been placed on record showing that the petitioners are involved in any other case as well as the fact that the trial in the case will take sufficient long time to conclude, as only the challan has been presented, I deem it appropriate to allow the present petition for grant of regular bail.

Accordingly, the present petition is accepted and the petitioners are ordered to be released on regular bail, subject to their furnishing bail/surety bonds to the satisfaction of the trial Court.

However, It is made clear that in future, in case the petitioners are found involved in any other case of similar nature, the prosecution will be at liberty to seek cancellation of their bail.

It is also made clear that expression made here-in-above shall not be construed as an expression on the merits of the case and the trial Court shall be at liberty to decide the case on the basis of available evidence.

(HARI PAL VERMA)
JUDGE

07.09.2016
Anjal

Whether speaking/reasoned? Yes/No

Whether reportable? Yes/No