

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

CRM No.M-35318 of 2016 (O&M)

Date of decision: 06.10.2016

Suraj

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Parminder Singh, Advocate for the petitioner(s).

Mr. Neeraj Poswal, AAG, Haryana

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner(s) has sought regular bail in case FIR No.132 dated 23.03.2016, registered under Section 379-A of the Indian Penal Code (wrongly reflected in the petition as under the Arms Act), at Police Station Samalkha, Distt. Panipat.

It is contended that the petitioner is not named in the FIR and co-accused, Jatinder has already been admitted to bail.

On the other hand, the learned State counsel has vehemently opposed the present petition and states that the petitioner is involved in another case i.e. FIR No.209 dated 24.04.2016, however, he fairly admits that the same was registered subsequent to the present FIR. He further states that out of eight prosecution witnesses, none has been examined so far.

Heard.

Though the petitioner is involved in another FIR No.209 dated 24.04.2016, however, the same was lodged after the lodging of the present FIR, the petitioner is in custody since 20.05.2016 and out of eight prosecution witnesses, none has been examined so far, trial is likely to take a long time, therefore, no purpose would be served in keeping the petitioner behind the bars, 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/Chief Judicial Magistrate/Duty Magistrate, concerned.

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

06.10.2016

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No