

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

CRM No. M-37012 of 2016

Date of decision:- October 27, 2016

RAJESH @ KALA

....PETITIONER..

VS.

STATE OF HARYANA

....RESPONDENT..

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Shubhankar Baweja, Advocate,
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

JASPAL SINGH, J. (Oral)

By virtue of instant petition preferred under Section 439 of the Code of Criminal Procedure (for brevity, "Code" only), petitioner-Rajesh @ Kala has sought bail during the pendency of trial, in case FIR No.87, dated 28.03.2016, under Sections 379, 411, 420, 467, 468, 471, 473 and 120-B IPC, Police Station Pinjore, District Panchkula.

2. The contention of learned counsel for the petitioner is that the petitioner is not named in the FIR. However, he has been nominated as an accused only on the basis of disclosure statement alleged to have been suffered by Raj Kumar @ Raju. The truck in question has already been recovered at the instance of Raj Kumar @ Raju-co-accused of the petitioner. Nothing incriminating was recovered from the petitioner except fake number plate.

3. The petitioner was arrested in this case on 29.03.2016 and after

subjecting him to custodial interrogation, he was remanded to judicial custody. Meaning thereby, he was no more required for further interrogation/investigation. On conclusion of investigation, challan has already been presented, disposal of which is likely to take sufficient long time.

4. This Court is of the considered view that no useful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

5. Taking into consideration the aforesaid aspects but without expressing any opinion on the merits of the case, the petition is allowed and petitioner is ordered to be released on bail, during pendency of trial, at the satisfaction of trial Court/Duty Magistrate.

October 27, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reasonable: Yes/No