

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-38691 of 2016 (O&M)

Date of Decision: 21.11.2016

Shiv Narain alias Lala

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. K.B. Raheja, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.27 dated 25.2.2016 under Sections 147, 148, 149, 395, 427, 436 IPC registered at Police Station Bond Kalan, District Bhiwani.

Learned counsel for the petitioner contends that the petitioner is a resident of Vill. Sanjarwas whereas in the FIR, he has been shown as resident of Vill. Sanwar. He further submits that the petitioner is in custody since 20.4.2016 and there is no other case pending against him. He submits that challan in the case has been presented and prosecution evidence is yet to start and since trial will take long time, he be released on regular bail.

Learned State counsel, on instructions from SI Balbir Singh, does not dispute the aforesaid facts and submits that the allegation against the petitioner is that he along with 40 other persons forcibly entered into the hardware shop of the complainant and fired in air. They have also taken away cash as well as paint from the shop of the complainant.

I have heard learned counsel for the parties.

Admittedly, the petitioner is in custody since 20.4.2016 and challan in the case has been filed. Taking into consideration the fact that the trial in the case will take sufficiently long time, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

It is made clear that observations made hereinabove shall not be construed as any expression on the merits of the case.

November 21, 2016
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No