

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

CRM No.M-40380-2016 (O&M)

Date of decision: 18.11.2016

DHARAMPAL

...Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present : Ms. Dhivya Jerath, Advocate
for the petitioner (s).

Mr. Saurabh Mohunta, DAG, Haryana
assisted by SI Sukhbir Singh.

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.73 dated 20.03.2015, registered under Sections 420, 406, 467, 471, 506 and 120-B of the Indian Penal Code (for short 'the IPC'), at Police Station Chandimandir, Distt. Panchkula.

It is contended that the petitioner was assisting the then Sarpanch, namely, Kailashwati (deceased) for disbursement of the funds under the MNREGA Scheme. The Sarpanch has since died and the husband of the Sarpanch, Sant Ram has already been admitted to bail by this Court. The petitioner had acted as per the record and instructions of the then Sarpanch. He is in custody since 16.08.2016.

On the other hand, the learned State counsel, on instructions, states that challan stands presented and out of 22 prosecution witnesses, none has been examined so far. Rs.2000/- out of Rs.21500/- has been recovered from the petitioner.

Heard.

Considering the facts that husband of the Sarpanch, namely, Sant Ram, has already been admitted to bail; challan stands presented; he is in custody since 16.08.2016; and out of 22 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.

18.11.2016

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No