

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

CRM No.M-43905-2016 (O&M)

Date of decision: 13.12.2016

Sagar

...Petitioner(s)

Versus

State of Haryana and another

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present : Mr. Pankaj Bali, Advocate for the petitioner (s).

Mr. Naveen Kaushik, Addl. A.G., Haryana

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.1146 dated 24.10.2016, registered under Section 379-B of the Indian Penal Code (for short 'the IPC'), at Police Station City Karnal.

The learned counsel for the petitioner refers Annexure P-3 to contend that no case against the petitioner under Section 379-B IPC is made out. Respondent No.2-complainant has made a statement that the FIR against the petitioner was registered due to some misunderstanding and mistaken belief and the petitioner has no role in the alleged theft. He is in custody since 25.10.2016.

Custody certificate has been filed in the Court, same is taken on record.

On the other hand, the learned State counsel, on instructions,

submits that challan is yet to be presented.

Heard.

Considering the facts that the petitioner is in custody since 25.10.2016; respondent No.2-complainant has made a statement that the petitioner has no role in the alleged theft; and challan is yet to be presented, 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 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.

13.12.2016

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No