

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

CRM No. M-11174 of 2017.

Date of Decision: 24.04.2017.

Sharafat Ali @ Sonu

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Naresh Kumar, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 439 the Cr.P.C seeking regular bail in case FIR No.481 dated 30.07.2015 registered under Sections 452 and 392 read with Section 34 IPC and Section 25 of Arms Act at Police Station Samalkha, District Panipat.

Learned counsel for the petitioner contends the petitioner was neither named in the FIR nor was arrested on the spot. The FIR is against unknown persons. The petitioner has been introduced in the FIR on the basis of his confessional statement in another FIR No. 97 of 2016. In the present FIR, initially, the un-traced report was filed.

On the other hand, the learned State counsel opposes the bail application. However, he admits the factum of filing the untraced report in the matter.

Heard.

Considering the fact that the petitioner was neither named in the FIR nor arrested on the spot, challan stands already presented, the petitioner is in custody since 15.12.2015, out of 11 prosecution witnesses, none has been examined so far, therefore, it can be safely concluded that the conclusion of trial will take a long time so, without commenting on the merits of the case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/duty Magistrate concerned.

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

24.04.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No