

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 210(2)

CRM-M-2345-2017
Decided on : 15.05.2017

Rakesh Kumar

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Aditya Sanghi, Advocate, for the petitioner.

Mr.Manish Bansal, DAG, Haryana.

DEEPAK SIBAL, J. (ORAL)

Through this petition filed under Section 439 Cr.P.C., the petitioner seeks the concession of regular bail in FIR No.344, dated 26.12.2015, registered under Sections 406, 409, 420, 467, 468, 471 and 120-B IPC, at Police Station Naraingarh, District Ambala.

Seeking regular bail for the petitioner, learned counsel submits that the petitioner has been in custody for about seven months; there is no other criminal case in which he is involved; charges have been framed by the trial court and, therefore, the custody of the petitioner is no longer warranted; since there are 242 witnesses cited by the prosecution, the trial is likely to take a long time to conclude and that whether the alleged irregularities by the petitioner as a Mandi Auctioneer of giving fictitious receipts with regard to paddy received in the mandi were committed by him, would be determined only during the course of the trial.

Learned State counsel does not dispute the facts that the petitioner has been in custody for about seven months; there is no other criminal case in which he is involved; charges have been framed by the trial court and since there are 242 witnesses cited by the prosecution, the trial is not likely to conclude in the near future.

Since the petitioner has been in custody for about seven months; there is no other criminal case in which he is involved; charges have already been framed by the trial court; as there are 242 witnesses cited by the prosecution, the trial is likely to take a long time to conclude and whether the alleged irregularities were committed by the petitioner, would be determined only during the course of the trial, I am of the opinion that the petitioner deserves to be admitted to regular bail.

Bail to the satisfaction of the trial court.

Keeping in view the scale of alleged irregularities committed by the petitioner, the trial court shall insist on heavy local sureties.

Nothing observed herein-above shall be considered to be an expression of opinion by this Court on the merits of the case.

During the period that the bail is granted to the petitioner, if he is found indulging in any criminal/illegal activity or misusing the concession of bail granted by this Court, it would be open to the State to move an appropriate application before the competent Court/this Court for cancellation of the bail granted to the petitioner.

15.05.2017
shamsher

[DEEPAK SIBAL]
JUDGE

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