

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

CRM-M-3321-2017 (O&M)  
Date of decision: 07.02.2017

NITIN

...Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

**CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN**

Present : Mr. Vinod Bhardwaj, Advocate  
for the petitioner (s).

Mr. Neeraj Poswal, AAG, Haryana  
assisted by SI Inderjeet.

\*\*\*\*

**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 FIR No.211 dated 05.09.2016, registered under Section 379-B of the Indian Penal Code (for short 'the IPC') read with Section 34 IPC and Section 120-B IPC (added later on), at Police Station Parao, Distt. Ambala.

The learned counsel for the petitioner contends that the petitioner is not named in the FIR. He has been falsely implicated in the present case on the basis of disclosure statement of co-accused, alleging that an amount of Rs.15,000/- was entrusted to the petitioner. He is not involved in any other FIR. He is in custody since 20.09.2016.

On the other hand, the learned State counsel submits that recovery of Rs.10,000/- was effected from the petitioner. Challan has been presented and out of 16 prosecution witnesses, none has been examined so far. He acknowledges the factum that the petitioner is not involved in any other FIR.

Heard.

Considering the facts that the petitioner is in custody since 20.09.2016; he is not named in the FIR; challan has been filed; and out of 16 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.

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

07.02.2017

*ashok*

**(JITENDRA CHAUHAN)**  
**JUDGE**

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No