

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

CRM-M-3395-2017 (O&M)
Date of decision: 01.03.2017

RAM BABU

...Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present : Mr. Harsh Bunker, Advocate
for the petitioner (s).

Mr. Arun Kumar, AAG, 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 FIR No.241 dated 17.07.2016, registered under Sections 399 and 420 of the Indian Penal Code (for short 'the IPC') and Section 25 of the Arms Act, at Police Station Dadri City, Distt. Bhiwani.

Contents that no role or any overt act has been attributed to the petitioner. Except a stick no recovery has been effected from the petitioner. As per the FIR, the petitioner along with co-accused allegedly attacked the police party, however, no MLR was carried upon any of the police officials. The petitioner is in custody since 17.07.2016.

On the last date of hearing, the learned State counsel was directed to file a status report with regard to pendency of the matters qua the petitioner. The learned State counsel submits that the petitioner is involved in large number of FIRs. However, he is unable to respond as to whether in any of these FIRs, he was arrested from the spot. He further informs that challan has been filed and all the 11 prosecution witnesses are police officials and none has been examined so far.

Heard.

Considering the fact that the petitioner is petty shop keeper operating from a small pan shop; he is in custody since 17.07.2016; no injury is attributed to the petitioner; challan has been filed; and out of 11 prosecution witnesses, who are police officials, 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, concerned.

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

01.03.2017

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No