

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-34822-2017

Date of decision: 06.12.2017

Sonu @ Rana

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Jainainder Saini, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.32 dated 01.02.2017 under Sections 392/34 IPC (Sections 397, 120-B IPC added later on) and Sections 25/54/59 of Arms Act, registered at Police Station City Narwana, District Jind.

Counsel for the petitioner submits that as per the allegations levelled in the FIR, two persons with muffled face entered the office of Muthoot Fincorp Gold Loan Company and have robbed Rs.1,72,586/- along with DVR and certain other articles at gunpoint. Counsel for the petitioner further submits that after the co-accused Somvir was arrested, on his disclosure statement, the petitioner was involved in the present case. Counsel for the petitioner also submits that the petitioner is in judicial lockup since 04.02.2017 and he is not involved in any other case. It is submitted that the statements of the complainant and eye witness have already been recorded and no one has

identified the petitioner. It is further submitted out of 20 prosecution witnesses, the complainant and independent witness have already been examined and last witness i.e. PW6 was examined on 09.08.2017. Thereafter, no prosecution witness has been examined so far and the next date before the trial Court is 25.01.2018. Counsel for the petitioner has submitted that co-accused Somvir has already been granted the concession of regular bail by the trial Court vide order dated 03.04.2017.

Learned State counsel, on instructions from ASI Subhash Chander, has not disputed the fact that total 06 prosecution witnesses have been examined so far and the next date before the trial Court is 25.01.2018. However, he opposed the prayer for bail on the ground that recovery of a pistol and some amount was made from the petitioner.

Without commenting on merits of the case, considering the fact that the petitioner is in judicial lockup since 04.02.2017; he is not involved in any other FIR; the trial Court is recording the statements at a very slow pace, as PW6 was examined on 09.08.2017 and thereafter, no prosecution witness has been examined, it will take long time in conclusion of the trial and also in view of the fact that co-accused Somvir, on whose disclosure the petitioner was arrested, has already been granted the concession of regular bail by the trial Court, this petition is allowed and the petitioner is directed to be released on bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

06.12.2017
vishnu

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No