

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

CRM -M-6744 of 2016 (O&M)

Date of decision: 02.02.2017

Mahavir Bansal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. R.S. Cheema, Sr. Advocate with
Mr. R.K. Trikha, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, 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. 358 dated 22.06.2015, registered under Sections 148, 420, 406, 467, 468, 471, 120-B, 506 read with Sections 34 and 149 of IPC, at Police Station Saran, District Faridabad.

It is contended that the petitioner is in custody since 19.07.2015. The challan was filed on 17.10.2015. Thereafter, only one witness could be examined on 25.01.2017 and chief examination of the complainant could be recorded so far. He further states that the prosecution has now filed an application under Section 319 Cr.P.C., for summoning Rohit Bansal, Mahabir Bansal, Vinod, Shispal and

Sarla as additional accused.

On the other hand, learned State counsel opposes the bail application, however, he does not dispute the factual aspect of the matter. He has circulated the copies of zimni orders which are taken on record as Mark 'A'.

I have heard learned counsel for the parties and perused the record.

Considering the fact that it is a magisterial trial; the petitioner is in custody since 19.07.2015 and the trial is not progressing due to the laxity of the prosecution; out of total 23 prosecution witnesses, only one PW has been examined so far, therefore, it can be safely inferred that the trial is not likely to be concluded in the near future, without adverting to the merits of the instant 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 the trial Court.

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

02.02.2017
sumit.k

(JITENDRA CHAUHAN)
JUDGE

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