

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

CRM-M No.12429 of 2018

Date of decision : 26.07.2018

Darshan Singh

.....Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : Mr. Jagtar Singh Sidhu, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

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DAYA CHAUDHARY, J. (Oral)

Petitioner Darshan Singh has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to him in case FIR No.950 dated 08.12.2017 under Sections 406, 420, 473, 120-B and 201 of the Indian Penal Code, registered at Police Station City Sirsa.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case by alleging certain allegations, whereas no overt act has been attributed to him. Even the recovery has not been effected from him. Learned counsel also submits that the occurrence has taken place on 19.11.2017, whereas the FIR was registered on 08.12.2017 and the delay has not been explained. The petitioner is in custody since 19.12.2017. Investigation has already been completed as

challan has been presented in the Court. Trial may take long time to conclude and no purpose would be served by keeping him in custody.

Learned State counsel has not disputed the custody period as well as the stage of the trial. However, she submits that the recovery was effected from the house of the petitioner and there are serious allegations against him.

By considering the submissions made by learned counsel for the parties and keeping in view the fact that the petitioner has undergone custody of more than 7 months, offence is trial by the Court of Magistrate, investigation has already been completed as challan has been presented in the Court, out of total 15 prosecution witnesses, examination-in-chief of two witnesses has been recorded and trial may take some time to conclude, no purpose would be served by keeping the petitioner in custody.

Accordingly, the present petition is allowed and petitioner Darshan Singh is directed to be released on regular bail to the satisfaction of the trial Court.

26.07.2018

sunil yadav

**(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No