

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-14817 of 2018

DATE OF DECISION:09.10.2018

Manohar Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Balraj Gujjar, Advocate
for the petitioner.

Mr. Manish Dadwal, AAG, Haryana.

DAYA CHAUDHARY, J.

This is second petition filed by petitioner-Manohar Singh under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 737 dated 10.11.2017 registered under Sections 186/332/353/365/379B/506/34 IPC and Section 3 of PDPP Act at Police Station City Bhiwani, District Bhiwani.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in this case, whereas, he was not named in the FIR. All the injuries suffered by the complainant are simple in nature. The petitioner has not been attributed any specific role. Challan has already been presented and all the material witnesses have been examined. Learned counsel further contends that recovery of ₹3,000/- from the petitioner is doubtful as no independent witness was joined at the time of recovery. The petitioner is in custody since 11.11.2017 and the offences under Sections 186,332,353,506 IPC are bailable and only offences under Sections 379B

and 365 IPC are non-bailable. Trial will take long time to conclude and no purpose would be served by keeping the petitioner in custody. Learned counsel also submits that no other case is there against the petitioner.

Learned counsel for respondent-State has not disputed the custody period and also examination of nine witnesses out of total fifteen witnesses. It has also been disputed by learned State counsel that there is no other case against the petitioner but he opposes grant of regular bail to the petitioner on the ground of seriousness of the offence.

Heard the arguments advanced by learned counsel for the parties and have also gone through the contents of the FIR and other documents available on the file.

Keeping in view the custody period of the petitioner, which is more than 11 months; all the material witnesses have been examined; there is no other case against him; trial will take long time to conclude and no purpose would be served by keeping the petitioner in custody, the present petition is allowed. Petitioner-Manohar Singh is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of trial Court.

October 09, 2018
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No