

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

**CRM-M No.21008 of 2018 (O&M)
Decided on: 02.08.2018**

Amit

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Abhishek Yadav, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

CRM No.18158 of 2018

Heard.

Allowed as prayed for.

CRM-M No.21008 of 2018

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.545 dated 01.08.2016, for offence punishable under Sections 379-B of the Indian Penal Code (in short 'IPC') and 25 of the Arms Act, registered at Police Station City Hansi, District Hisar.

Counsel for the petitioner has submitted that the petitioner is in judicial custody since 03.10.2016 and he is on bail in 03 other FIRs, pending against him, which were registered in the year 2016. It is further submitted that as per the allegation in the FIR, a mobile phone was snatched from the complainant at gun point and during the investigation, no such fire arm was recovered from the petitioner. It is

also submitted that challan has already been presented and till date, no prosecution witness has been examined.

Counsel for the State has filed the Custody Certificate today in the Court and on instructions from ASI Om Parkash, has submitted that as per the Custody Certificate, the petitioner is in judicial custody for the last about 01 year and 10 months, he is on bail in 03 other FIRs and no witness of the prosecution has been examined so far.

Without commenting anything on merits of the case and considering the fact that the petitioner is in judicial custody for the last about 1 year and 10 months; till date no witness of the prosecution has been examined; the trial is moving at a very slow pace and the petitioner is on bail in other FIRs, registered against him, this petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/ surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

02.08.2018

yakub

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No