

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

CRM-M No.2193 of 2018

Date of Decision: 14.09.2018

Mangat Ram

....Petitioner

Versus

U.T. Chandigarh

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. J.S. Bagga, Advocate
for the petitioner.

Mr. J.S. Toor, APP., U.T. Chandigarh.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner in case FIR No.298 dated 17.09.2017 registered under Sections 147/148/149/307/506 of IPC and under Section 25/54/59 of the Arms Act at Police Station Sector 31, Chandigarh.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case, whereas, no offence is made out against him. Learned counsel further submits that no connecting evidence is there to involve the petitioner in the commission of offence. The petitioner has been made scapegoat in the case in order to save one Manga. Learned counsel also submits that all material witnesses have been examined and the petitioner is in custody for more than 11 months. In two cases, the petitioner has been acquitted and three more cases, which have been pointed out by learned counsel for Union Territory, are under the Excise Act.

Learned counsel for the respondent-U.T. Chandigarh has not disputed the custody period but opposes the submissions made by learned counsel for the petitioner on the ground that the petitioner is a habitual offender as number of cases are pending against him.

Without commenting anything on the merits of the case and keeping in view the custody, which is more than 11 months and also the fact that out of total 16 witnesses, four material witnesses have been examined; trial may take some more time to conclude; no useful purpose would be served by keeping the petitioner behind bars and three cases, where the petitioner has been convicted, are under the excise Act, the present petition is allowed and petitioner, namely, Mangat Ram is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

(DAYA CHAUDHARY)
JUDGE

14.09.2018
gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No