

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

CRM-M-3790 of 2018

Date of Decision: 05.02.2018

Sandeep

....Petitioner

Versus

State of Haryana

....Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. S.P. Chahar, Advocate
for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

MAHABIR SINGH SINDHU, J.(Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.506 dated 01.08.2017 registered under Sections 380, 457, 511, 436 and 34 of the Indian Penal Code Police Station Rohtak City, District Rohtak.

It is contented that the petitioner is in custody since 02.09.2017 and challan (report under Section 173 Cr.P.C.) has already been submitted and charges are yet to be framed. It is further contended that no recovery has been effected from the petitioner in this case except one *spade*.

The above factual position is duly acknowledged by learned State counsel on instructions from ASI Kashmir Singh. Custody certificate of the petitioner has been filed in the Court. The same is taken on record.

Heard learned counsel for the parties and perused the paper book.

Perusal of the custody certificate reveals that two other criminal cases bearing FIR No. 468 dated 24.08.2017 under Section 379 of

the Indian Penal Code registered at Police Station Sampla, Rohtak and FIR No.600 dated 02.09.2017 under Sections 380, 457 and 511 of the Indian Penal Code registered at Police Station City Rohtak, are pending against the petitioner but both these FIRs have been registered subsequent to the FIR in which the petitioner is claiming bail. In view of the fact that even charges are yet to be framed and petitioner is in custody for the last more than five months and trial will take a long time, no useful purpose would be served by keeping the petitioner behind the bars any more. Therefore, in view of the abovesaid circumstances, without expressing any opinion on the merits of the case, this petition is accepted. Petitioner-Sandeep be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court.

[MAHABIR SINGH SINDHU]
JUDGE

February 05, 2018

rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no