

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

CRM-M-44396-2017 (O&M)
Date of decision : 22.01.2018

Sukhvinder Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Vinod S. Bhardwaj, Advocate,
for Dr. Deipa Singh, Advocate,
for the petitioner.

Mr. Ramakant Sharma, AAG, Haryana,
assisted by ASI Surinder Singh.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking bail in FIR No.195 dated 08.03.2016, registered under Sections 409, 420, 467, 468 and 471 of the Indian Penal Code, at P.S. Civil Lines, Karnal.

Contends that the petitioner is in custody since 12.04.2016. During the investigation, an amount of Rupees forty lakh was said to have been embezzled by the petitioner, which stands recovered. Initially, the charge in the instant case was framed on 08.07.2016. However, after the said recovery, supplementary challan has been filed and the charge on the supplementary challan has not been framed so far.

On the other hand, learned State counsel, on instructions, acknowledges the factum of the petitioner being in custody since 12.04.2016 and the fact that none of the PWs has been examined so far.

Heard.

It is a magisterial trial. Admittedly, the petitioner is in custody since 12.04.2016. The Court feels that the filing of supplementary challan will further delay the conclusion of trial.

Keeping in view the long custody period of the petitioner and the fact that none out of 29 prosecution witnesses has been examined so far, the trial is not likely to be concluded in the near future. Therefore, there is uncertainty with regard to the conclusion of trial on account of the filing of supplementary challan.

In view of the above, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned. The petitioner shall also surrender his passport, if any, held by him, with the trial Court and shall not leave the country without prior permission of this Court.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

22.01.2018

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**(JITENDRA CHAUHAN)
JUDGE**

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No