

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

**CRM-M No.47451 of 2017
Decided on: 17.01.2018**

Nitin and another

....Petitioners

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Vikram Singh, Advocate
for the petitioners.

Ms. Harpreet Kaur, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of regular bail under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.896 dated 23.10.2017, for offence punishable under Sections 420, 468, 470 of the Indian Penal Code (in short 'IPC') and 61/1/14 of the Excise Act, registered at Police Station Civil Lines, Karnal, District Karnal.

Counsel for the petitioners has submitted that the petitioners are in judicial custody since 24.10.2017 and are not required for any further custodial interrogation as challan has already been presented. It is further submitted that all the offences are triable by the Court of Magistrate and conclusion of the trial is likely to take some time.

Counsel for the State, on instructions from ASI Singh Raj, has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case and considering the fact that the petitioners are in custody since 24.10.2017; challan has already been presented; they are not required for any further investigation and conclusion of the trial is likely to take some time, the petition is allowed and the petitioners are ordered to be released on bail subject to their furnishing bail/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, if the petitioners are found involved misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

17.01.2018
yakub

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