

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

**CRM-M No.5360 of 2018
Date of Decision: 27.02.2018**

Manish @ Harish

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sanjeev Kodan, Advocate for the petitioner.

Mr. Vikas Malik, Deputy Advocate General, Haryana
assisted by ASI Sanjay Kumar.

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.266 dated 19.07.2017 (**Annexure P-1**), registered under Sections 420, 467, 468 & 471 of the Indian Penal Code and Section 61/1/14 of the Excise Act, registered at Police Station Beri, District Jhajjar.

It is contended by learned Counsel for the petitioner that the petitioner is in custody since 19.07.2017 and the report under Section 173 Cr.P.C. has already been submitted on 13.10.2017 and charges are yet to be framed. It is further contended that even the co-accused Jitender @ Billu has already been released by learned trial Court, vide order dated 08.01.2018 (**Annexure P-2**).

The above factual position is not disputed by learned State Counsel, on instructions from ASI Sanjay Kumar. However, learned State Counsel has opposed the present bail application only on the ground that recovery was effected from the petitioner.

In view of the fact that the report under Section 173 Cr.P.C. has already been submitted and charges are yet to be framed and co-accused has already been released on regular bail, no useful purpose would be served by keeping the petitioner behind the bars and thus, it would be just and appropriate if the concession of bail is granted to the petitioner. Therefore, in view of the abovesaid circumstances, this petition is accepted. Petitioner-Manish @ Harish is ordered to be released on regular bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial Court.

February 27, 2018

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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	Yes