

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

286

CRM-M No.7820 of 2018
Date of Decision: April 5th, 2018

Dilshad and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Ravinder Bangar, Advocate
for the petitioners.

Mr. Kuldeep Sharma, Deputy Advocate General, Haryana.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioners have approached this Court for grant of regular bail by filing the present petition under Section 439 of the Code of Criminal Procedure, 1973, in FIR No.0037 dated 04.02.2017, registered at Police Station Ladwa, Kurukshetra, under Section 136 of the Indian Electricity Act.

It is the contention of counsel for the petitioners that the petitioners were arrested on 24.03.2017 and are in custody since then. He contends that the maximum sentence for the offence which is alleged to have been committed by the petitioners is three years. Petitioners have already undergone more than one year and out of 16 witnesses, 10 have been examined and 6 witnesses are still left. He contends that the trial is not likely to conclude in near future and, therefore, the petitioners be granted the concession of bail.

On the other hand, counsel for the State, although could not dispute the custody period and the stage of the trial but contends that there are eight FIRs against the petitioners and, therefore, the petitioners being habitual offenders, should not be granted the concession of bail.

Having considered the submissions made by the counsel for the parties and keeping in view the fact that the petitioners have already undergone more than 1/3rd of the maximum sentence awarded to them, the present petition is allowed, especially when the trial is not likely to conclude in near future.

Petitioners shall be released on bail to the satisfaction of the trial Court.

April 5th, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No