

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.213

CRM-M-369-2019 (O&M)

Date of decision : 28.3.2019

Bunty

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Balraj Gujjar, Advocate, for the petitioner.

Mr. D.R. Singla, DAG, Haryana

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.559 dated 19.9.2018, registered at Police Station Sector 31, District Faridabad, under Section 379-A IPC.

Learned counsel for the petitioner submits that the petitioner has been in custody for more than 06 months. The examination of PWs has not yet started, thus, the trial is not likely to be concluded at an early date. Keeping in view his custody period, he may be released on regular bail.

Custody certificate dated 27.3.2019, prepared by Sh. Ramesh Kumar, Deputy Superintendent, District Prison, Faridabad, has been filed by the learned State counsel in Court and the same is taken on record. According to this certificate, the petitioner has undergone custody of 06 months and 05 days. However, there are 03 other pending criminal cases against him. Apart from that, one conviction has also been recorded, although, sentence was only for the period undergone.

Learned State counsel does not dispute the fact that examination of PWs has not yet started. However, he states that keeping in view the past conduct of the petitioner, he does not deserve to be released on

bail.

In response, learned counsel for the petitioner submits that in all the pending cases, he has been granted regular bail. In fact, in the present case, the petitioner has been falsely implicated. He was arrested in an FIR No.553 dated 17.9.2018 on 19.9.2018 and on the same date, he was nominated as accused in the present case.

In view of the fact that the trial is not likely to be concluded at an early date as well as the fact that the petitioner has been in custody for over 06 months, I deem it appropriate to allow this petition. Accordingly, the petition is allowed and petitioner-Bunty, is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

(SUDHIR MITTAL)
JUDGE

28.3.2019

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No