

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

**Criminal Misc. No. M-1389 of 2019  
Date of decision: 22.01.2019**

**Rohit Kumar @ Bunny**

**..Petitioner**

**Versus**

**State of Punjab**

**..Respondent**

**CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY**

**Present:** Mr. Prashant Vashisth, Advocate  
for the petitioner.

Mr. Sarabjit Singh Cheema, AAG, Punjab  
for the respondent -State.

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**Daya Chaudhary, J. (Oral)**

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of regular bail to him in case FIR No.217 dated 06.09.2017 registered under Section 379-B read with Section 34 IPC at Police Station Division No.2, Ludhiana.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case whereas the FIR was registered against four unknown persons. Neither the petitioner was named in the FIR nor any role has been attributed to him. As per prosecution version, a bag containing ₹14,22,312/- has been shown to be recovered from all the accused persons whereas there was no mention of numbers of currency notes. Learned counsel also submits that on the same set of allegations, co-accused of the petitioner namely, Manish Pathaniya @ Mani, Manjit Singh alias Amit and Hardev Singh have been released on regular bail by this Court vide separate orders dated 05.12.2018 passed in CRM-M Nos.38832, 29080 and 21509 of 2018, respectively. The petitioner is in custody since 24.03.2018. Out of total 21 prosecution witnesses, only one witness i.e.

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complainant has been examined but he has not supported the case of the prosecution. The trial may take long time to conclude and no purpose would be served by keeping the petitioner in custody.

Custody certificate has been filed by learned State counsel in the Court and the same is taken on record.

Learned State counsel has not disputed the custody period; release of co-accused on regular bail by this Court and also the fact that the complainant has not supported the case of the prosecution.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

By considering the submissions made by learned counsel for the petitioner that the petitioner is in custody since 24.03.2018; his co-accused, namely, Manish Pathaniya @ Mani, Manjit Singh alias Amit and Hardev Singh have been released on regular bail by this Court; one more case is reflected to be pending against the petitioner and he is on bail in that case; complainant has not supported the case of the prosecution; the trial may take long time to conclude and no purpose would be served by keeping the petitioner in custody, the present petition is allowed and the petitioner (Rohit Kumar @ Bunny) is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

**22.01.2019**  
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**(DAYA CHAUDHARY)**  
**JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

No