

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

CRM-M No.2201 of 2019

Date of Decision: 27.02.2019

Pehlad @ Prahlad

....Petitioner

Versus

State of Haryana

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Jainainder Saini, Advocate
for the petitioner.

Mr. Rajesh K. Sheoran, Addl. A.G., Haryana.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner in case FIR No.315 dated 09.11.2017 registered under Sections 148/149/307/120-B IPC and Section 25 of the Arms Act, 1959 at Police Station Adampur, District Hisar.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case, whereas, he was not involved. He is in custody for the last more than one year. Charges were framed against the petitioner on 05.05.2018 and thereafter, two witnesses have been examined. Subsequently, co-accused of the petitioner has been arrested and in that case, the supplementary challan has been presented and now it would be a *denovo* trial. It may take some more time to conclude and no useful purpose would be served by keeping the petitioner behind bars. He further submits that in two cases which are against the petitioner, he is on bail. Learned counsel also submits that no recovery was effected from the petitioner.

Custody period as well as factum of bail in two other cases have not been disputed by learned State counsel.

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

By considering the custody of the petitioner, which is more than one year; the fact that after presentation of supplementary challan qua co-accused, it would be a *denovo* trial; it may take some time to conclude and no useful purpose would be served by keeping the petitioner behind bars and also the fact that in two other cases, he is on bail; moreover there is a delay of three days in lodging of the FIR in the present case, this petition is allowed and petitioner, namely, Pehlad @ Prahlad is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

(DAYA CHAUDHARY)
JUDGE

27.02.2019
gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No