IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc. No. M-14724 of 2018 (O&M)
Date of decision: 27.03.2019

Sameer Anwarali Merchant and another **..Petitioners**

Versus

State of Haryana **..Respondent**

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Tribhawan Singla, Advocate
for the petitioners.

Mr. Arun Beniwal, DAG, Haryana
for the respondent -State.

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Daya Chaudhary, J. (Oral)

The present petition has been filed by the petitioners under Section 439 Cr.P.C. for grant of regular bail to them in case FIR No.0211 dated 18.06.2016 registered under Sections 406, 420 read with Section 120-B IPC and Sections 467, 468, 471, 419 IPC added later on at Police Station Baldev Nagar, Ambala, District Ambala.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the case whereas they were not involved. Investigation has been completed. After presentation of challan, charges have been framed and statement of complainant has also been recorded. The petitioners are in custody since 19.12.2017. The offence is triable by the Magistrate. No purpose would be served by keeping the petitioners in custody.

Learned State counsel has not disputed the custody period as

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well as stage of trial and also the fact that the offence is triable by the Magistrate.

Heard arguments of learned counsel for the petitioners 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 custody since 19.12.2017; the fact that offence is triable by the Magistrate; complainant has already been examined; trial may take time to conclude; no purpose would be served by keeping the petitioner in custody, the present petition is allowed and the petitioners, namely, Sameer Anwarali Merchant and Jitender Rathod are directed to be released on regular bail on furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

27.03.2019 **(DAYA CHAUDHARY)**
neetu **JUDGE**

Whether speaking/reasoned Yes

Whether Reportable No

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