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

**Date of decision: May 13, 2019
CRM-M-13782 of 2019**

Sonu

.....Petitioner

Versus

State of Haryana

.....Respondent

CRM-M-15981 of 2019

Munir

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Deepak Aggarwal, Advocate
for the petitioner (in CRM-M-13782 of 2019).

Mr. Chander Pal Tiwana, Advocate
for the petitioner (in CRM-M-15981 of 2019).

Mr. Yashwinder Singh, DAG Haryana.

MAHABIR SINGH SINDHU, J (Oral)

By the present common order, above-mentioned both the petitions are being disposed off having arisen from the same FIR.

Present petitions have been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of bail to the petitioners, in FIR No.1299 dated 14.12.2018, under Sections 457, 380, 120-B of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Chandni Bagh, Panipat, District Panipat.

Learned counsel for the petitioner(s) contends that the

petitioners are in custody since 11.01.2019. After investigation, report under Section 173 Cr. P.C. has been filed on 08.03.2019 and after framing of charges, now the case is pending for examination of prosecution witnesses, on 29.05.2019, before learned trial Court. Also contends that none of the prosecution witnesses has been examined till date. It is also the contention that the co-accused of the petitioners has been granted the concession of bail by learned trial Court vide order dated 20.04.2019.

The above factual position is duly acknowledged by the learned State counsel, on instructions from the Assistant Sub Inspector Mahesh.

Heard learned counsel for the parties and perused the paper book.

Concededly, the present case is triable by the Magistrate and now the case is fixed for prosecution evidence. Out of total 9 prosecution witnesses, none has been examined till date; and thus, the trial will take sufficient time. Since the co-accused of the petitioners with similar allegations has already been granted bail by the learned trial Court, no useful purpose will be served by keeping the petitioners behind bars.

As a result thereof, these petitions are allowed. The petitioners are ordered to be released on bail, in these cases, on their furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The above observations may not be construed as an expression of opinion on the merits of the case.

However, it is clarified that petitioners shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

(MAHABIR SINGH SINDHU)
JUDGE

May 13, 2019
mahavir

Whether speaking/ reasoned: **Yes**

Whether Reportable: **No**