

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc.-M-15514 of 2019
Date of Decision: October 16, 2019.

Satbir alias Raj Kumar alias PappuPetitioner
versus
State of HaryanaRespondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU.

Present: Mr.Rakesh Kumar Lathwal, Advocate, for the petitioner.
Mr.Arun Beniwal, DAG, Haryana

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Mahabir Singh Sindhu, J.

The present petition under Section 439 Cr.P.C. has been filed praying for grant of regular bail pending trial to the petitioner in case FIR No.181 dated 20.03.1998, registered under Sections 458, 380 and 460 IPC (subsequently added), at Police Station Rai, District Sonipat.

The case of the prosecution is that petitioner alongwith his co-accused assaulted the complainant and his companions with iron pipe as well as rods and took away their belongings, i.e. cloths and currency.

Contentends that the petitioner is in custody since 03.04.2017 and out of 27 prosecution witnesses, only 18 have been examined so far. Further contends that co-accused of the petitioner, namely, Teja Singh, Tara Chand and Jailor Singh have already been acquitted by the learned Additional Sessions Judge, Sonapat vide judgment dated 30.08.2006.

The above factual position is duly acknowledged by learned State counsel, on instructions from ASI Satish Kumar.

Heard both sides and perused the paper book.

Since the petitioner is in custody since 03.04.2017 and co-accused of the petitioner have already been acquitted and out of total 27 prosecution witnesses, only 18 have been examined, till date; thus, the trial will take sufficient long time. Therefore, further incarceration of the petitioner will not serve any useful purpose.

In view of the above-said circumstances, without expressing any opinion on the merits of the case, this petition is allowed and the petitioner be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

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

The petitioner shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

October 16, 2019

mohinder

(MAHABIR SINGH SINDHU)

JUDGE

Whether speaking/reasoned

:

Yes/No

Whether Reportable

:

Yes/No