

Priksht @ Priya

... Petitioner

v/s

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJPresent: Mr. Abhinav Sood, Advocate with
Mr. Shekhar Kumar, Advocate for the petitioner

Mr. Sukhdeep Singh Parmar, DAG Haryana

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MANOJ BAJAJ, J. (ORAL)

Petitioner-Priksht @ Priya has prayed for grant of regular bail in case FIR No. 16 dated 24.01.2018, registered under Sections 379, 399, 402 and 411 of IPC and Section 25 of the Arms Act, 1959 at Police Station Bound Kalan, District Charkhi Dadri. Petitioner is in custody w.e.f. 24.01.2018, the date of his arrest.

The FIR was registered on the basis of secret information regarding preparation of dacoity by few persons along with the co-accused. Believing the said information to be true a raid was conducted and all the accused persons were apprehended and the recoveries were effected. On these broad allegations, the above FIR was registered.

Learned counsel for the petitioner contends that only airgun was recovered from the petitioner and he is in custody for a period of more than a year and 8 months and the trial is likely to consume considerable time as out of the total 22 witnesses, only 11 witnesses have been examined so far.

On the other hand, the learned State counsel assisted by HC Pardeep has opposed the prayer by producing the custody certificate dated 14.05.2019 to contend that the petitioner is involved in numerous other cases of the similar nature and the detail is mentioned in the custody certificate. In all these cases the petitioner is in custody.

At this stage learned counsel for the petitioner contends that the present case was registered on 24.1.2018 and the other cases are also of the same month except the one in FIR No. 103 which is of the year 2017. It is contended that the nature of the offence in all these cases is common which is founded on the testimony of the police officials. This fact is not disputed by the State counsel that all the witnesses in this case and other cases are police officials.

Considering the above background, custody of the petitioner and the fact that the possibility of winning over the witnesses is remote and trial of the case is likely to consume more time, this Court finds that further custody of the petitioner may not be justified. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Charkhi Dadri.

September 06, 2019

Janki

**(MANOJ BAJAJ)
JUDGE***Whether speaking/reasoned : Yes/No**Whether reportable : Yes/No*