

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

**CRM-M-35996-2018
Date of decision: 25.01.2019**

Rahul

...Petitioner

Versus

State of U.T., Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Anil Chawla, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. P. P., U.T., Chandigarh.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 280 dated 18.10.2010, under Sections 147, 148, 149, 323, 332, 353, 308, 427 of the IPC and Section 3 of the Prevention of Damage to Public Property Act, 1984, registered at Police Station Manimajra, U.T., Chandigarh.

Learned counsel for the petitioner submits that the petitioner was not named in the FIR and he was initially granted bail, however, later on, he was declared a proclaimed offender on 07.05.2014 and was re-arrested on 12.05.2018 and since then, he is in judicial custody.

Learned counsel for the petitioner further submits that in the meantime, other accused, who faced full length trial, were convicted under Sections 147, 332, 353 read with Section 149 IPC and were sentenced to undergo RI for a period of 08 months, vide judgment dated 16.01.2015, passed by the Additional Sessions Judge, Chandigarh.

It is further submitted that petitioner is in judicial custody for the last 11 months and 16 days and the conclusion of the trial is likely take some time.

Learned State counsel, on the basis of custody certificate dated 03.10.2018, has submitted that petitioner is involved in some other FIRs, however, he is on bail in those cases.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the aforesaid submissions of learned counsel for the petitioner and also keeping in view the custody period of petitioner, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail bonds and two sureties to the satisfaction of the trial Court/Duty Magistrate, Chandigarh.

January 25, 2019

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No