

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.206

CRM-M-36866-2018

Date of decision : 25.2.2019

Sunny

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Surinder Gandhi, Advocate, for the petitioner.

Mr. D. R. Singla, DAG, Haryana

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.137 dated 10.3.2018, registered at Police Station City Rohtak, District Rohtak, under Sections 406/420 IPC.

Learned counsel for the petitioner submits that the petitioner has been in custody since 18.5.2018. The trial is not likely to be concluded at an early date as the charge has not yet been framed. Thus, keeping in view the custody period of the petitioner, he may be released on regular bail.

Custody certificate dated 24.2.2019, prepared by Sh. Sanjay Bangar, Deputy Superintendent, District Prison, Karnal, has been filed by the learned State counsel in Court and the same is taken on record. According to this certificate, the petitioner has undergone actual custody of 09 months and 07 days. There are 10 other criminal cases pending against him and the nature of offence in the other cases is similar to the nature of offence in the present case.

Learned State counsel submits that it would not be safe to release the petitioner on regular bail, keeping in view the number of criminal cases pending against him.

Learned counsel for the petitioner submits that all the pending criminal cases have been registered between the period February, 2018 to April 2018. Thus, false implication cannot be ruled out. Moreover, the petitioner has been granted regular bail in all other pending cases.

Keeping in view the fact that the charge has not yet been framed as well as the fact that the petitioner has been in custody for 09 months and 07 days, it would be appropriate to grant regular bail to him in this case. The pendency of 10 other criminal cases of similar nature against the petitioner does not work to his detriment as all these cases have been registered between the period February 2018 to April 2018 and this creates a doubt in the mind of this Court regarding the genuineness of those cases.

Accordingly, the petition is allowed and petitioner-Sunny, is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

(SUDHIR MITTAL)
JUDGE

25.2.2019

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No