

CrI. Misc. No. M-46635 of 2018  
Date of Decision: March 20, 2019

Kala @ Ram Phal

.....Petitioner

versus

U.T. Chandigarh

.....Respondent

**CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL**

Present: Mr. Sumeet S. Brar, Advocate  
for the petitioner

Ms. Ashima Mor, APP, U.T. Chandigarh

**Sudhir Mittal, J. (Oral)**

The petitioner seeks grant of regular bail in case FIR No. 375 dated 09.12.2010 registered under Sections 392, 34 IPC at Police Station Manimajra, Chandigarh.

Learned counsel for the petitioner submits that the co-accused have already been acquitted. The petitioner has been in custody since 10.06.2018. The trial is not likely to be concluded at an early date as six PWs remain to be examined. The petitioner has no criminal antecedents apart from an FIR under Section 229-A IPC in which he is on bail. Thus, he may be granted regular bail in this case also.

Learned counsel for U.T. Chandigarh does not dispute the aforementioned factual submissions made on behalf of the petitioner. She also does not dispute that the petitioner has been in custody since 10.06.2018 and that six PWs remain to be examined. Her objection only is that the petitioner absconded from law for a period of 3 ½ years and, thus, he does not deserve the concession of regular bail.

In view of the custody period of the petitioner as well as the fact that the trial is not likely to be concluded at an early date, no useful purpose would be served by keeping the petitioner in custody indefinitely. The co-accused have already been acquitted and, thus, it would be appropriate to release the petitioner on

regular bail.

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

March 20, 2019

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**[SUDHIR MITTAL]**  
**JUDGE**

**Whether speaking/reasoned : Yes/No**

**Whether Reportable : Yes/No**