

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

**Criminal Misc. No. M-50305 of 2018
Date of decision: 09.01.2019**

Monu Kumar

..Petitioner

Versus

The State of Haryana

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Baltej Singh Sidhu, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana
for the respondent-State.

Daya Chaudhary, J. (Oral)

The present petition has been filed by petitioner-Monu Kumar under Section 439 Cr.P.C. for grant of regular bail to him in case FIR No.295 dated 03.08.2018 registered under Section 379A IPC at Police Station City Dadri, District Charkhi Dadri.

Learned counsel for the petitioner submits that the petitioner has been implicated in the case on the basis of statement made by co-accused, which is not admissible under law. The petitioner is in custody since 07.09.2018 and no other case is pending against him. Challan has been presented and now the case is fixed for framing of charges. Trial may take long time to conclude and no purpose would be served by keeping the petitioner in custody.

Learned State counsel has not disputed the custody period; stage of trial as well as the fact that the petitioner has been implicated in the

.....

case on the basis of statement made by co-accused and no other case is pending against him. However, he has opposed the submissions made by learned counsel for the petitioner on the ground that currency notes worth ₹3000/- were recovered from the petitioner.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

In view of the submissions made by learned counsel for the petitioner that the petitioner has been implicated on the basis of statement made by co-accused; no connecting evidence is there; the petitioner is in custody since 07.09.2018; no other case is pending against him; investigation has been completed; charges have not been framed so far; trial may take long time to conclude and no purpose would be served by keeping the petitioner in custody, the present petition is allowed and the petitioner (Monu Kumar) is directed to be released on regular bail subject to his furnishing bail bonds with local sureties in the like amount to the satisfaction of the trial Court.

09.01.2019
neetu

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No