

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

**CRM-M-51977-2018
Date of decision: 05.02.2019**

Shahjad

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. G. S. Sawhney, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

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. 155 dated 12.02.2018, registered under Section 395 IPC and Section 25/54/59 of the Arms Act at Police Station Sector 7, Faridabad.

Learned counsel for the petitioner submits that the petitioner is in judicial custody for the last seven months and PW-2 Nakshit Kumar has stated that the assailants were with muffled face and he has not identified any person present in Court.

Learned counsel for the petitioner further submits that the case is being adjourned for recording the statement of witnesses Pratham Singh and Mohinder Singh, however, a report is received by the Court from the Process Server that these witnesses are not found residing at the addresses for the last many years and the trial is being delayed on this account.

Learned State counsel, on instructions from ASI Jai Chand, could not dispute the report of the Process Server on the summons issued to

aforesaid witnesses.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner is in judicial custody for the last seven months and the trial is likely to take a long time, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

February 05, 2019
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No