

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

**CRM-M No. 24228 of 2019
Date of Decision:-30.05.2019**

Puneet

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Mandeep Singh Khillan, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

MANOJ BAJAJ J.(Oral)

Petitioner Puneet has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.197 dated 03.3.2019, under Sections 380 and 457 IPC, registered at Police Station City Karnal, District Karnal. The petitioner is in custody since his arrest on 09.4.2019.

The FIR was registered on the application of complainant Sham Sunder. The contents of the FIR reads as under :-

“Sir, it is requested that I Sham Sunder s/o Harbansh Lal, caste Punjabi Arora, am resident of Chand Sarai, House No.885, near Jundal Gate. I have a shop on Meerut Road, Maharana Partap Chowk. That unknown

person has stolen the Galla (locker) from the shop by breaking the lock of the shop. Kindly take strict legal action against unknown person.”

Learned counsel for the petitioner contends that the name of the petitioner does not figure in the FIR and he is in custody since 09.4.2019. He further contends that the petitioner has been indicted in the FIR only on the basis of disclosure suffered by co-accused. He contends that since the investigation is complete and the challan in the case has already been presented on 05.5.2019, no useful purpose will be served by detaining the petitioner further in custody.

On the other hand, learned State counsel has opposed the prayer for grant of bail on the ground of seriousness of offence.

Considering the nature of the offence and the fact that petitioner is in judicial custody since 09.4.2019, further custody of the petitioner may not be justified. Since the challan has been presented on 05.5.2019, the trial will take considerable time in conclusion, therefore, without meaning any expression of opinion on the merits of the case it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/DM, Karnal.

The petition is allowed.

May 30, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No