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

CRM-M-24238 of 2019

Date of decision: July 16, 2019

Amit

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioner.

Mr. Arun Beniwal, DAG Haryana.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of bail to the petitioner, in FIR No.364 dated 08.08.2018, under Sections 380, 457, 427 and 511 of Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Urban Estate, Rohtak.

Affidavit of Jashandeep Singh Randhawa, IPS, Superintendent of Police, Rohtak filed by learned State counsel, today in Court, is taken on record.

As per prosecution case, allegation against the petitioner is regarding attempt to commit theft.

Paper-book reveals that petitioner is in custody since 17.12.2018. Learned State counsel, on instructions from Sub Inspector Ramesh Kumar has apprised the Court that after investigation in the matter, report under Section 173 of Cr. P.C. was submitted on 04.02.2019 and out of total 10 prosecution witnesses, only 4 have been examined.

Heard learned State counsel and perused the paper-book.

Petitioner is in custody since 17.12.2018 and the allegations are only regarding attempt to commit theft; challan has already been presented on 04.02.2019 and charges were framed on 12.03.2019. Concededly, out of total 10 prosecution witnesses, only 4 have been examined. Thus, trial is likely to take long time. In view of the above, further incarceration of the petitioner will not serve any useful purpose.

In view of the above, this petition is allowed. Petitioner is ordered to be released on bail, in this case, on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The above observations may not be construed as an expression of opinion on the merits of the case.

The petitioner shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

Paragraph-2 of the above affidavit reveals that petitioner is an accused in other criminal cases of similar nature, therefore, Superintendent, District Jail, Rohtak shall arrange counselor for his reformation for a period of one week and submit his report to this Court, in this regard.

A copy of this order be sent to the concerned officer for necessary compliance.

(MAHABIR SINGH SINDHU)
JUDGE

July 16, 2019
mahavir

Whether speaking/ reasoned: **Yes**
Whether Reportable: **Yes**