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

CRM-M-29245 of 2019

Date of decision: July 18, 2019

Ankur Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Munish Mittal, Advocate 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.340 dated 03.10.2018, under Sections 420, 406, 120-B of Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Sadar Jind, District Jind.

As per prosecution case, petitioner has been implicated in this case on the disclosure statement of co-accused-Lalit Rahul.

Contentends that petitioner is in custody since 29.04.2019; after investigation, report under Section 173 of Cr. P.C. has been submitted on 01.06.2019 and charges were also framed on 04.07.2019. Further contentends that now case is fixed for prosecution evidence for today, i.e. on 18.07.2019 and there are total 15 prosecution witnesses, but none has been examined. Again contentends that co-accused of the petitioner, namely Lalit Rahul, has also been granted concession of bail pending trial by this Court in CRM-M-15924 of 2019, decided on 14.05.2019. It has also been

contended that there is no other criminal case pending against the petitioner.

The above factual position is duly acknowledged by learned State counsel, on instructions from police official present in Court to assist him.

Heard both sides and perused the paper-book.

It is not in dispute that co-accused of the petitioner has already been released on bail pending trial by this Court. Since the petitioner is in custody since 29.04.2019, challan has already been presented, charges are also framed, and out of total 15 prosecution witnesses, none has been examined; thus, trial will take long time. Concededly, there is no other criminal case pending against the petitioner, and as such, further incarceration of the petitioner would 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.

(MAHABIR SINGH SINDHU)
JUDGE

July 18, 2019

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Whether speaking/ reasoned: **Yes**

Whether Reportable: **No**