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

CRM-M-32563 of 2019

Date of decision: October 18, 2019

Rajesh Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Abhimanyu Singh, Advocate for the petitioner.

Mr. Arun Beniwal, DAG Haryana.

MAHABIR SINGH SINDHU, J

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of bail pending trial to the petitioner, in FIR No.236 dated 28.05.2016, under Sections 406, 420, 467, 468, 471 120-B, 201 of Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Taraori, District Karnal.

As per prosecution case, petitioner in connivance with his co-accused managed to obtain a loan to the tune of ₹19,76,000/- in the name of the complainant, from the Bank, after mortgaging the land belonging to him.

Contentends that the petitioner is in custody since 03.05.2019, out of total 23 prosecution witnesses, only 3 have been examined till date and now the case is fixed for 18.10.2019 before learned trial

Court.

The above factual position is duly acknowledged by learned State counsel, on instructions from SI Balbir Singh.

Heard both sides and perused the paper-book.

Since the petitioner is in custody since 03.05.2019 and out of total 23 prosecution witnesses, only 3 have been examined, thus the trial will take sufficient long time. Therefore, further incarceration of the petitioner would not serve any 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

October 18, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No