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

CRM-M-33158 of 2019

Date of decision: August 20, 2019

Desh Deepak

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. G.C. Shahpuri 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 pending trial to the petitioner, in FIR No.507 dated 14.05.2019, under Sections 420, 467, 468, 471, 506 of Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station City Jagadhri, District Yamuna Nagar.

Allegations against the petitioner are that he prepared forged bill books of M/s Mehta Stone Crusher and Ganesh Screening plant as well as royalty slips of Government.

Contends that petitioner is in custody since 17.05.2019 and after investigation, report under Section 173 of Code of Criminal Procedure, 1973 has already been submitted on 11.06.2019. Also contends that charges were framed on 12.07.2019 and now the case is

fixed for prosecution evidence on 23.08.2019. Further contends that out of total 9 prosecution witnesses, only one has been examined.

The above factual position is duly acknowledged by learned State counsel, on instructions from Head Constable Dal Singh.

Heard both sides and perused the paper-book.

Since the petitioner is in custody since 17.05.2019 and there is no other criminal case pending against him. Out of total 9 prosecution witnesses only one has been examined, thus, the trial is likely to take sufficient long time. Offences in the present case are triable by the Magistrate, therefore, 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

August 20, 2019
mahavir

Whether speaking/ reasoned: Yes/No
Whether Reportable: Yes/No