

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

CRM-M-38195 of 2019

Date of Decision: 13.09.2019

Sahil Puri

....Petitioner

Versus

State of Haryana

....Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Rahul Deswal, Advocate
for the petitioner.

Mr. Arun Beniwal, DAG, Haryana.

MAHABIR SINGH SINDHU, J.(Oral)

Present petition has been filed under Section 439 Cr.P.C. seeking bail pending trial in case FIR No. 429 dated 27.05.2019, under Sections 148, 149, 323, 324 and 506 of the Indian Penal Code(Section 307 IPC was added later on), registered at Police Station Karnal Civil Lines, District Karnal.

It is contended that there is no allegation against the petitioner; rather his name has surfaced on the basis of disclosure of co-accused namely, Sawan Kumar and Mayank on 28.07.2019 i.e. after a period of two months from the date of registration of the FIR. Also contends that petitioner is in custody since 28.07.2019;report under Section 173 Cr.P.C. has already been submitted on 09.09.2019 and charges are yet to be framed in this case. Further argued that there is no other criminal case pending against the petitioner.

Learned State counsel has acknowledged the above fact and states that during investigation nothing incriminating was found against the petitioner.

Heard learned counsel for the parties and perused the paper book.

There is no allegation against the petitioner in the FIR as his name has surfaced on the basis of disclosure of co-accused namely, Sawan Kumar and Mayank on 28.07.2019 i.e. after a period of two months. The petitioner is in custody since 28.07.2019; report under Section 173 Cr.P.C. was submitted on 09.09.2019 and now the case is fixed for consideration of charges on 28.09.2019. The trial is likely to take a long time to be concluded, therefore, no useful purpose would be served by keeping him behind the bars any more.

In view of the above, without expressing any opinion on the merits of the case, this petition is accepted. Petitioner-Sahil Puri be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

However, it is made clear that above observations may not be construed as an expression of opinion on the merit of the case pending before learned trial Court.

September 13, 2019
rashmi

[MAHABIR SINGH SINDHU]
JUDGE

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no