

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc.-M-40301 of 2019
Date of Decision: October 16, 2019.

Mahender Partap Singh

.....Petitioner

versus

State of Haryana

....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU.

Present: Mr.Ashok K.Sharma, Advocate, for the petitioner.

Mr.Arun Beniwal, DAG, Haryana

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Mahabir Singh Sindhu, J.

The present petition under Section 439 Cr.P.C. has been filed praying for grant of regular bail pending trial to the petitioner in case FIR No.218 dated 09.08.2018, registered under Sections 406, 420, 216, 467, 468, 471 and 120-B IPC, at Police Station City, Narwana, District Jind, Haryana.

The case of the prosecution is that the petitioner has defrauded and cheated the complainant and other persons in the name of getting their children selected in the Government job.

Contents that the petitioner is in custody since 05.05.2019 and after investigation, challan was presented on 22.07.2019 and charges have been framed. Out of 24 prosecution witnesses, no one has been examined so far. Further contends 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 ASI Om Parkash.

Heard both sides and perused the paper book.

Since the petitioner is in custody since 05.05.2019 and out of total 24 prosecution witnesses, no one has been examined so far. The trial is Magisterial trial which will take sufficient long time. Petitioner is also not involved in any other criminal case. Therefore, further incarceration of the petitioner will not serve any useful purpose.

In view of the above-said circumstances, without expressing any opinion on the merits of the case, this petition is allowed and the petitioner be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the 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.

October 16, 2019

mohinder

(MAHABIR SINGH SINDHU)

JUDGE

Whether speaking/reasoned

:

Yes/No

Whether Reportable

:

Yes/No