

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

**CRM-M No.40837 of 2019 (O&M)
Date of Decision: 30.09.2019**

Vikram

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Deepak Gollen, Advocate for the petitioner.

Mr. Arun Kumar, AAG, Haryana for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 439 Cr.P.C. for grant of bail pending trial to the petitioner in case bearing FIR No.75 dated 14.04.2019, under Sections 379B, 427, 452, 147, 149, 188, 506 of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959, registered at Police Station Narwana Sadar, District Jind.

Contentends that two of the co-accused of the petitioner, namely, Manoj @ Moja and Amit @ Meeta have already been granted the concession of bail pending trial by this Court in CRM-M No.38496 of 2019 and CRM-M No.37701 of 2019, respectively. Also contends that the allegations against the petitioner are similar to co-accused Amit @ Meeta. Further contends that petitioner is in custody since 02.05.2019; no other criminal case is pending against him and out of total 16 prosecution witnesses, none has been examined till date.

The aforesaid factual position is duly acknowledged by learned State Counsel, on instructions from ASI Prem Singh, but opposed the present bail application.

Heard both sides and perused the paper-book.

Since two co-accused of the petitioner have already been granted the concession of bail pending trial by this Court; petitioner is in custody since 02.05.2019 and trial will take sufficient long time in view of the fact that out of total 16 prosecution witnesses, none has been examined, thus, further incarceration of the petitioner will not serve any purpose. Consequently, without expressing any opinion on the merits of the case, the present petition is allowed. Petitioner be admitted to bail on his furnishing 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.

It is clarified that in case there is any recurrence on the part of the petitioner, State of Haryana would be at liberty to move an appropriate application for recalling of this order.

September 30, 2019

Gagan

**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>