

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

CRM-M-41392 of 2019

Date of Decision: 13.11.2019

Sachin Tiwari @ Gajjan

....Petitioner

Versus

State of Haryana

....Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. S.K. Tripathi, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, 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.110 dated 15.07.2018, under Section 395 of the Indian Penal Code and Section 25 of the Arms Act, 1959 registered at Police Station Sector-20, Panchkula.

Learned counsel for the petitioner contends that the petitioner is in custody since 15.07.2018 and his co-accused, namely Sunny Kumar, has already been granted bail by this Court vide order dated 15.07.2019 passed in CRM-M-27696 of 2019. Further contends that allegations against the petitioner are similar to that of above co-accused and thus, treating the case on similar footing, he be released on bail. Also submits that there are total 11 prosecution witnesses, but only 2 have been examined till date. There is no other criminal case pending against the petitioner.

The above factual position is duly acknowledged by learned State counsel on instructions from HC Bholi Singh.

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

Concededly, the petitioner is in custody since 15.07.2018 and the co-accused namely, Sunny Kumar has already been granted the concession of bail pending trial by this Court and there is no other criminal case pending against him. Thus, trial is likely to take a long time to be concluded and as such no useful purpose would be served by keeping the petitioner behind the bars any more.

In view of the abovesaid circumstances, without expressing any opinion on the merits of the case, this petition is allowed. Petitioner-Sachin Tiwari @ Gajjan be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court.

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.

[MAHABIR SINGH SINDHU]
JUDGE

November 13, 2019
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no