

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

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CRM-M-43073-2019

DATE OF DECISION: 20.11.2019

KULDEEP

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Chanderhas Yadav, Advocate
for the petitioner.

Mr. Saurabh Ghirdhar, AAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.165 dated 08.08.2013, under Sections 395 & 342 IPC, registered at Police Station Salhawas, District Jhajjar.

Learned counsel for the petitioner contends that the allegations against the petitioner are that he along with the other co-accused had snatched the car of the complainant. He further contends that similarly situated co-accused have been acquitted at the conclusion of the trial. The petitioner had earlier been served at an address which he had left several years ago and, therefore, he could not appear in the trial and had been declared as proclaimed offender. Now he is in custody after his arrest for over 6 months. The complainant, who had appeared as PW-1, had not supported the prosecution case qua the involvement of the petitioner.

Learned State counsel, upon instructions from SI Attar Singh, states that the petitioner is also involved in 3 other cases. However, he is not in a position to controvert the submissions of learned counsel for the petitioner that similarly situated co-accused have been acquitted and the complainant has not supported the prosecution case qua the involvement of the petitioner. He also contends that 11 out of 17 prosecution witnesses have been examined.

Heard.

In view of the submissions of learned counsel for the petitioner, especially when the similarly situated co-accused have been acquitted, the complainant has not supported the prosecution case qua the involvement of the petitioner, he is in custody for over 6 months and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

20.11.2019.

SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No