

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

**CRM-M No. 45212 of 2019
Date of Decision:-29.10.2019**

Ram Sudhir

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Amit Kumar Jain, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ J.(Oral)

Petitioner-Ram Sudhir has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No. 301 dated 05.7.2019, under Section 379-A IPC, registered at Police Station Sarfidon, District Jind. The petitioner is in custody since his arrest on 09.7.2019.

As per FIR, on 05.7.2019, complainant moved a complaint disclosing that she alongwith her two friends Viksha and Kriti was returning to her PG (paying guest) after fetching the vegetables and when they reached near Om Shanti, two boys on motor-cycle came and snatched her mobile phone.

Learned counsel for the petitioner contends that the petitioner was not named in the FIR. He further contends that challan in the case has

been filed and charges were framed on 30.9.2019. He submits that the trial is yet to start as out of total 12 witnesses, not even a single witness has been examined so far and the next date fixed before the trial Court is 04.11.2019 for recording of evidence of prosecution and it will take sufficient time to conclude. He prays that the petitioner be released on regular bail pending trial.

On the other hand, learned State counsel, who is assisted by ASI Kamal opposed the prayer. However, he does not dispute that after framing of charges no witness has been examined so far.

After hearing learned counsel for the parties, this Court finds that the trial of the case is likely to consume considerable time and keeping in view the custodial period of the petitioner, his further custody may not be justified. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Jind.

The petition is allowed.

October 29, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No