

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT  
CHANDIGARH

249)

Crl. Misc. No.M-49873 of 2019

Date of Decision: 05.12.2019

Rajbir Singh and another

...Petitioners

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH**

Present:- Mr.Kulwant Singh Dhanora, Advocate, for the petitioners.

Mr.Navdeep Singh, AAG, Haryana.

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**Amol Rattan Singh, J. (Oral)**

This petition has been filed under the provisions of Section 439 Cr.P.C., for grant of 'regular bail' to the petitioners in case FIR No.80, dated 04.06.2019, registered at Police Station Babain, District Kurukshetra, for the alleged commission of offences punishable under Sections 392, 394, 397, 201, 120-B of IPC and 25 of the Arms Act, 1959.

Learned counsel appearing for the petitioners having pointed to the testimony of the complainant, i.e. Girdhari Lal (a copy of which has been annexed as Annexure P-3), wherein he stated to the effect that the petitioners were not the persons who had robbed him.

The custody certificates filed by the learned State counsel in Court today are ordered to be taken on record.

There seems to be no other criminal case registered against petitioner No.2, Sanjeev Kumar alias Sanju, with the other criminal case registered against petitioner No.1, Rajbir Singh, being one under the provisions of the Mines and

Minerals Act( as per the custody certificates). With 09 prosecution witnesses having been examined out of 17 so far, and with the trial still nowhere near conclusion and the petitioners having been in custody for the past 06 months, without making any comment, I consider it appropriate to allow this petition.

Consequently, the present petition is allowed.

The petitioners shall be admitted to bail upon their furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

However, nothing stated hereinabove by this Court shall be taken to be a comment on the merits of the case for and against the petitioners, which would be gone by the trial Court on the basis of evidence led before it.

**(AMOL RATTAN SINGH)**  
**JUDGE**

05.12.2019

Anjal

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