

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

CRM-M-51450 of 2019

Date of Decision: 09.12.2019

Ajmer and another

....Petitioners

Versus

State of Haryana

....Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. B.S. Saroha, Advocate
for the petitioners.

Mr. Arun Beniwal, DAG, 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.90 dated 04.06.2019, under Sections 147, 148, 149, 323, 341 and 427 of the Indian Penal Code registered at Police Station Pillu Khera, District Jind Haryana in which police had presented challan/final report under Section 173 Cr.P.C., under Sections 323, 341, 427, 307, 379-B and 34 of IPC.

Learned counsel for the petitioners contends that the petitioners are in custody since 11.09.2019 and after investigation in the matter report under Section 173 Cr.P.C. has been presented. Also contends that as per the statement given by the injured himself there is no attribution that petitioners have caused any injury, which has resulted into attraction of Section 307 of IPC in this case. Further contends that so far as the alleged recovery of the gold chain is concerned the same was purchased by the petitioners from the market(P-5).

The above factual position is duly acknowledged by learned State counsel on instructions from the police official.

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

Since, the investigation is already over in the matter and the challan has already been presented in this case. Thus, trial is likely to take a long time to be concluded and as such no useful purpose would be served by keeping the petitioners 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. Petitioners, namely, Ajmer and Sumit be admitted to bail on their 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

December 09, 2019
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no