

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

**CRM-M No.54847 of 2018 (O&M)
Date of Decision: 18.01.2019**

Rajeev Sharma

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Narinder S. Lucky, Advocate for the petitioner.

Mr. Yashwinder Singh, Deputy Advocate General, Haryana
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition under Section 439 of the Code of Criminal Procedure has been filed for grant of regular bail to the petitioner in case FIR No.61 dated 06.02.2018, under Sections 406, 420, 467, 468 and 471 of the Indian Penal Code, 1860 (*for short 'the Act'*), registered at Police Station Ambala Cantt., District Ambala.

It is contended by learned Counsel for the petitioner that the petitioner is in custody since 25.06.2018 and after investigation, challan has already been presented and case is fixed for consideration of the charges for 25.01.2019. Also contended that in other FIR No.269 dated 23.06.2018 and FIR No.170 dated 17.04.2018, under Sections 406, 420, 467, 468, 471, 419, 201 and 120-B, IPC, registered at Police Stations Ambala Cantt. and Baldev Nagar, respectively, the petitioner has already been enlarged on bail by this Court. Further contended that the petitioner is not named in the FIR, but on the basis of his own disclosure statement made in FIR No.170 dated 17.04.2018, he has been implicated in the present case.

The above factual position is duly acknowledged by learned State Counsel, on instructions from the police official present in the Court.

Heard learned Counsel for the parties and perused the paper-book.

Undisputedly, the present case is triable by the Magistrate and report under Section 173 Cr.P.C. has already been submitted before the Court of competent jurisdiction. Petitioner is in custody since 25.06.2018 and charges are yet to be framed. Thus, trial will take long time to be concluded finally, therefore, 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, the present petition is allowed. Petitioner be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

It is made clear that the petitioner would fully co-operate with the proceedings before learned trial Court and in case, he deliberately delays the same or found involved in similar cases again, the prosecution would be at liberty to move an application for recalling of this order.

January 18, 2019

Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	Yes