

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

**Criminal Misc. No. M-39143 of 2018
Date of decision: 29.01.2019**

Devi Prasad

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Punit Malik, Advocate
for the petitioner.

Mr. Rajesh Sheoran, Addl. A.G., Haryana
for the respondent-State.

Daya Chaudhary, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of regular bail to him in case FIR No.530 dated 18.08.2017 registered under Sections 408 and 420 IPC at Police Station DLF-II, Gurugram, District Gurugram.

Learned counsel for the petitioner submits that the petitioner is in custody since 01.06.2018 and offence is triable by the Magistrate. The complainant is person of the company and there is no possibility that the petitioner may influence the witnesses or tamper with the evidence. Out of total five prosecution witnesses, only one witness has been examined still trial may take time to conclude. No purpose would be served by keeping the petitioner in custody.

Learned State counsel has not disputed the custody period as well as stage of trial but has opposed grant of regular bail to the petitioner.

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Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

By considering the submissions made by learned counsel for the petitioner that the petitioner is in custody since 01.06.2018; offence is triable by the Magistrate; trial may take time to conclude and no purpose would be served by keeping the petitioner in custody, the present petition is allowed and the petitioner (Devi Prasad) is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

29.01.2019
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	Yes