

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.212-a

CRM-M-57253-2018 (O&M)

Date of decision : 11.3.2019

Paulinus Ubaka @ Onyedika

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Ms. Garima Sharma, Advocate, for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

Mr. Surender Pal, Advocate, for the complainant.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.120 dated 10.4.2018, registered at Police Station Ambala City, District Ambala, under Sections 406, 420, 467, 468, 120-B IPC.

Learned counsel for the petitioner submits that the petitioner has been in custody more than 08 months. The trial is not likely to be concluded at an early date as only 03 PWs have been examined till date out of total of 14 PWs. The complainant has already been examined in this case and thus, there is no likelihood of the petitioner tampering with the evidence or trying to influence the trial. There is no other criminal case pending or decided against the petitioner and therefore, the petitioner may be released on regular bail.

Custody certificate dated 9.3.2019 prepared by Sh. Vishal Chhibber, Deputy Superintendent, Central Jail, Ambala, has been filed by the learned State counsel in Court and the same is taken on record. According to this certificate, the petitioner has undergone actual custody of 08 months and 14 days and there is no other criminal case pending or decided against him.

Learned State counsel as well as counsel for the complainant submit that the petitioner is foreign national and there is likelihood that he may abscond. The other factual submissions made by counsel for the petitioner have not been controverted by them.

Keeping in view the facts and circumstances of this case, I deem it appropriate to allow this petition. Accordingly, the petition is allowed and petitioner-Paulinus Ubaka @ Onyedika, is ordered to be released on bail on his furnishing bail bonds with a local surety, to the satisfaction of the trial Court concerned at Ambala. The petitioner shall also deposit of his passport with the trial Court.

(SUDHIR MITTAL)
JUDGE

11.3.2019
Ramandeep Singh
Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No