IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
204 **(PROCEEDINGS THROUGH V.C.)**

CRM-M-12771-2020 (O&M)

Date of decision: 08.06.2020

SANJU @ SAIKUL ***...PETITIONER***

V/S

STATE OF HARYANA ***..RESPONDENT***

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Sajid Waseem, Advocate,
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana,
for the State.

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AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court for grant of regular bail in FIR No. 678 dated 30.09.2018 registered under Sections 395, 397, 201, 120-B IPC, 1860 and Section 25 of the Arms Act, 1959 registered at Police Station Saran, District Faridabad.

It is the contention of the counsel for the petitioner that as per the FIR, ATM of HDFC Bank was removed from its installed place by some unknown persons. The name of the petitioner figured in the disclosure statement of the co-accused, namely, Tarif Mohd. He contends that although recovery of ₹5,000/- has been effected from the petitioner but out of 19 witnesses cited by the prosecution, only 8 witnesses have been examined. The next date of hearing before the trial Court is 02.07.2020.

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Petitioner is in custody since 16.10.2018, the trial is not likely to conclude in near future and, therefore, the petitioner be granted the concession of bail.

On the other hand, learned counsel for the State asserts that there is another case registered against the petitioner. Assertion has also been made that the petitioner is involved in the commission of offence and, therefore, may not be granted the concession of bail. The other factual assertions, as pointed out by the counsel for the petitioner, could not be disputed by the counsel for the State.

I have considered the submissions made by the counsel for the parties and keeping in view the fact that the petitioner is in custody since 16.10.2018 i.e. for more than 19 months and out of 19 witnesses, only 8 witnesses have been examined till date with the prevailing pandemic, the trial is not likely to conclude in near future and, therefore, there is a question mark with regard to the conclusion thereof, the present application is allowed. Petitioner is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, Faridabad.

Any observation made herein above shall have no bearing on the merits of the case during trial in any manner.

June 08, 2020 **(AUGUSTINE GEORGE MASIH)**
pj **JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No

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