

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.203

CRM-M-13186-2020 (O&M)

Date of decision : 10.6.2020

Sharwan Kumar

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Lupil Gupta, Advocate, for the petitioner.

Mr. Munish Gupta, AAG, Haryana.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.143 dated 25.9.2018, registered at Police Station Ding, District Sirsa, under Sections 420, 406, 506 201/34 IPC.

According to the FIR, the petitioner took money from the complainant and others for getting them a job. However, neither the money was returned nor the job was provided.

Learned counsel for the petitioner submits that the petitioner has been in custody since 3.5.2019. The trial is at the initial stage as only five witnesses have been examined out of 21 prosecution witnesses. Thus, the trial is not likely to be concluded at an early date and the co-accused, namely, Shailender @ Sunil has been granted regular bail by this Court vide order dated 17.2.2020 passed in CRM-M-6136-2020 and the similar concession may be granted to the petitioner as well.

On facts, on instructions from ASI-Sumit Kumar, the submissions made by learned counsel for the petitioner have not been denied by learned State counsel. He however, submits that another FIR

was registered against the petitioner five days before the registration of the present FIR with the identical allegations. Thus, the petitioner is a repeat offender and he does not deserve the concession of regular bail.

Considering the fact that the trial is not likely to be concluded at an early date and keeping in view the custody period of the petitioner as well as the fact that the offence is triable by a Magistrate, I deem it appropriate to allow this petition. Accordingly, the petition is allowed and petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

CRM-11528-2020

The case be listed on 5.8.2020 for ensuring that requisite Court fee has been affixed and original power of attorney has been filed.

(SUDHIR MITTAL)
JUDGE

10.6.2020
Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No