

Krishan

.....Petitioner

versus

State of Haryana and another

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Partap Singh, Advocate
for the petitioner

Mr. Munish Sharma, AAG Haryana

Mr. Ajay Kripal Singh, Advocate
for the complainant

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 200 dated 03.07.2020 registered under Sections 379-A, 406, 420, 120-B IPC at Police Station Siwani, District Bhiwani.

Learned counsel for the petitioner submits that the petitioner has been implicated mistakenly as is evident from affidavit dated 07.07.2020 annexed as Annexure P-1. The petitioner has been in custody for over two months as on date and even charges have not been framed. The trial is not likely to be concluded at an early date and, thus, the petitioner may be granted regular bail.

Custody certificate dated 06.09.2020 has been presented in the Court. The same is taken on record. According to this custody certificate, the petitioner has undergone actual custody of 2 months and 1 day and there is no other case pending/decided against him.

Learned counsel for the complainant-respondent No. 2 admits affidavit dated 07.07.2020 (Annexure P-1).

Thus, it is evident that the petitioner has been in custody for 2 months and 1 day and the trial is not likely to be concluded at an early date. False implication can not be ruled out in view of the affidavit dated 07.07.2020 (Annexure P-1) although the final arbitrator of the same would be the trial Court.

In view of the above, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

September 08, 2020

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No