

Satish

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTALPresent: Mr. Vikas Bishnoi, Advocate
for the petitioner

Mr. Munish Sharma, AAG Haryana

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 534 dated 29.12.2018 registered under Section 25 of Arms Act, 1959 and Sections 34 and 392 IPC (Section 201 IPC added later on) at Police Station City Tohana, District Fatehabad.

Learned counsel for the petitioner submits that the petitioner has been in custody for more than 1 ½ years. The trial is not likely to be concluded at an early date as 7 more PWs remain to be examined. The complainant has not supported the case of the prosecution and, thus, the petitioner deserves to be granted regular bail.

Custody certificate dated 14.10.2020 has been produced in the Court. The same is taken on record. According to this custody certificate, the petitioner has undergone actual custody of 1 year, 8 months and 3 days and there are 7 other criminal cases pending against him. Four convictions have also been recorded.

Learned State counsel concedes that 7 more PWs remain to be examined.

A perusal of the custody certificate shows that the cases in which the petitioner has been convicted are for the offence of theft. This can also be inferred from the list of pending cases. The petitioner is on bail in all the other pending cases. A more serious offence has been invoked in this case probably to ensure that the petitioner is not granted bail early.

The trial is not likely to be concluded at an early date and the petitioner has been in custody for 1 year, 8 months and 3 days. Thus, I deem it appropriate to grant regular bail to the petitioner.

Accordingly, 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.

October 15, 2020

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No