

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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**CRM-M-27964-2020(O&M)
Date of Order:21.09.2020**

SHADAB @ SALMAN

..Petitioner

Versus

STATE OF HARYANA

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. S.S.Bairagi, Advocate, for
Mr. Vikram Rana, Advocate,
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana

ANIL KSHETARPAL, J(Oral)

Hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

The petitioner prays for grant of bail pending trial in a criminal case arising from FIR No.518, dated 26.04.2020, registered under Section 457/380 IPC, at Police Station City Panipat.

In a nutshell, the case of the prosecution has been noticed in the previous order passed on 08.09.2020 in CRM-M-25836 of 2020 while deciding bail application of a co-accused-Imran, which is extracted as under:-

“2. According to the complaint dated 26.04.2020 of the complainant Kamlesh Kumari, she has a shop under the name & style of Rohit Boot House in the shops of Swarankar Dharamshala, in which, she also sells cold drinks, bidi, matchbox etc. On 14.04.2020, she had gone to (Praveen Kumar) ASJ, Panipat, 19.08.2020 2 Imran Versus State of Haryana CNR No. HRPP01-003877-2020 her house at 07:30 PM after closing the shop. On the next morning at about 08:00 AM, she saw that shutter on one side had been broken. The complainant checked her articles and found that two boxes of Frooti of 2 liters each, two boxes of bidi, one box containing Rajdarbar, Shikhar and other articles, five packets each of big Gold Flake and small Gold Flake, five packets of Red & White,

*10-15 pairs of slippers and other articles has been stolen.
The complainant searched for her articles upto
26.04.2020 on her own but no clue could be found.”*

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and there is no recovery from the petitioner. He further submits that the petitioner has been falsely implicated in various FIRs registered in the month of April, 2020 in District Panipat. He contends that before April, 2020, the petitioner had a clean antecedents except an FIR in the year 2014.

On the other hand, learned counsel appearing for the State has opposed the prayer.

The petitioner is in custody since 08.05.2020. On conclusion of the investigation, challan has already been presented. The case is triable by the Magistrate. The conclusion of the trial is likely to take time.

Without commenting on the merits of the case and keeping in view the fact that the petitioner is in custody since 08.05.2020 and conclusion of the trial is likely to take time, the petitioner is directed to be released on regular bail subject to furnishing of adequate surety to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

Accordingly the petition is allowed with the aforesaid directions.

September 21, 2020
nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No