

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

CRM-M-27975-2020

Date of Decision: 21.09.2020

MARTIN ONYEKA

....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

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

Mr. Vivek Saini, Additional AG, Haryana.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner- **Martin Onyeka** in case F.I.R. No.352 dated 11.06.2019 under Sections 120-B, 201, 406, 419 and 420 IPC registered at Police Station Surajkund, District Faridabad.

Learned counsel for the petitioner *inter alia* contends that petitioner has no nexus whatsoever with the alleged offence. He further submits that co-accused namely Chigozie Hyicent and Abuchi Samuel have already been released on bail by this Court, vide orders dated 04.08.2020 and 15.09.2020 respectively. He further urges that petitioner is in custody since 30.10.2019 and he is no more required by the Police for any investigation purpose. He further urges that challan has already been presented in the Court and since consequent trial would take sufficient time to conclude, no useful purpose would be served by

keeping the petitioner in custody further, thus, he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties and have carefully gone through the case file.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 30.10.2019; that petitioner is no more required by the Investigating Agency for investigation purpose; that challan has already been presented in Court and since consequent trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by the petitioner- **Martin Onyeka** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Faridabad, as the case may be.

21.09.2020

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(LALIT BATRA)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No