

203 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.41108 of 2019
DATE OF DECISION:07.01.2020

Mubarik

...Petitioner

Vs.

The State of Haryana

...Respondent

CORAM:- HON'BLE MR.JUSTICE LALIT BATRA

Present: Mr. Harish Chhabra, Advocate
for the petitioner.

Mr. Arun Beniwal, DAG, Haryana.

LALIT BATRA, J. (Oral)

Affidavit dated 06.01.2020 of Commissioner of Police,
Gurugram, is taken on record.

Present petition under Section 439 Cr.P.C is for grant of
regular bail to petitioner-**Mubarik** in case F.I.R. No.50 dated 02.04.2019
under Section 379-B IPC read with Section 34 IPC and Section 25 of
Arms Act, registered at Police Station Sohna, District Gurugram.

Learned counsel for the petitioner *inter alia* contends that the
petitioner is in custody since 22.04.2019 and he is no more required by
the Police for any investigation purpose. He further submits that after
completion of investigation, challan has been presented in the Court and
trial has already commenced. He further urges that since trial of the case
would take sufficient time to conclude, no useful purpose would be

served by keeping the petitioner (accused) in custody further and 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.

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 22.04.2019; that challan has already been presented against the petitioner in the Court; that trial has already commenced; that since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further and, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Mubarik** is allowed. 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, Gurugram, as the case may be.

(LALIT BATRA)
JUDGE

07.01.2020
rimpal

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