

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

212

CRM-M-52003-2019

Date of decision : 06.02.2020

Mir Singh and others

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Pratap Singh Gill, Advocate for
Mr. Aman Pal, Advocate for the petitioner.

Mr. Arjun Singh Yadav, AAG Haryana
for the respondent-State.

ARUN KUMAR TYAGI, J (ORAL)

The petitioners have filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'the Cr.P.C') for grant of anticipatory bail in case FIR No.340 dated 12.07.2017 registered under Sections 147, 148, 149, 307, 323, 324, 325, 326 and 506 of the Indian Penal Code, 1860 (for short 'the IPC') at Police Station Sadar Dadri, District Charkhi Dadri.

Pursuant to registration of above-said FIR, the police investigated the case and charge-sheeted Nihal Singh, Jaibir, Sanjay and Sonu to face trial for alleged commission of offences punishable under Sections 147, 148, 149, 307, 323, 324, 325, 326 and 506 of the IPC. During pendency of the trial, the present petitioners, Mir Singh, Krishan @ Kala and Amit have been summoned under Section 319 of the Cr.P.C. to face trial as additional persons with the accused already charge-sheeted by the police.

While issuing notice of motion on 06.12.2019 by this Court, the petitioners had been granted interim anticipatory bail with direction to appear before the trial Court within 10 days.

Learned State Counsel has appeared on behalf of the respondent-State and opposed the bail application.

I have heard learned Counsel for the petitioner as well as learned State Counsel and have gone through the record.

Learned Counsel for the petitioners has submitted that the petitioners have been summoned under Section 319 of the Cr.P.C. In compliance with order dated 06.12.2019 passed by this Court, the petitioners have appeared before the trial Court and been released on interim anticipatory bail. Trial is likely to take long time. No useful purpose will be served by their detention in custody. Therefore, the petition may be allowed.

Learned State Counsel has opposed the bail application but acknowledged that the petitioners have complied with order dated 06.12.2019 passed by this Court.

In view of the facts and circumstances of the case, nature of accusation and also the facts that trial is likely to take long time and that detention of the petitioners in custody will not serve any useful purpose but without expressing any opinion on the merits of the case, I am of the considered view that the petitioners deserve the concession of anticipatory bail.

Therefore, the petition is allowed and order dated 06.12.2019 granting interim bail to the petitioners is made absolute. The anticipatory bail order and bail bonds furnished in compliance with order dated 06.12.2019 shall enure till conclusion of trial.

06.02.2020

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(ARUN KUMAR TYAGI)
JUDGE

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