

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

205

**CRM-M No.53893 of 2019
Date of decision :06.01.2020**

MUBARIK

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Abhinav Sood, Advocate
for the petitioner.

Mr. Arjun Singh Yadav, Asstt. A.G., Haryana
for respondent-State.

ARUN KUMAR TYAGI, J. (ORAL)

The petitioner has filed the present **First** petition under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 761 dated 19.09.2019 registered under Sections 398 and 401 of the Indian Penal Code, 1860 (for short 'the IPC') at Police Station Nuh, District Mewat.

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. The prosecution version is highly improbable. No independent witness was joined by the Investigating Officer. Recovery of iron rod was planted on him. ATM cards allegedly recovered from the petitioner belonged to him. The trial is likely to take long time. No useful purpose will be served by further detention of the petitioner.

On the other hand, learned State Counsel has submitted that the petitioner attempted to rob the police party and committed

serious offences and does not deserve the grant of regular bail.

Keeping in view the facts and circumstances of the case, allegations made against the petitioner and particularly the fact that trial is likely to take long time but without commenting on merits, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of personal and surety bonds by him to the satisfaction of the trial Court/Chief Judicial Magistrate, Mewat at Nuh.

06.01.2020

Rajeev (rvs)

(ARUN KUMAR TYAGI)**JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No