

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

**CRM-M-1451-2021 (O&M)**

**Date of decision: 27.09.2021**

Subhash

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present:- Mr. Akashdeep Singh, Advocate for the petitioner.

Mr. Pardeep Prakash Chahar, DAG Haryana.

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**HARNARESH SINGH GILL, J. (ORAL)**

Case is taken up for hearing through video conferencing.

The short reply by way of affidavit dated 20.09.2021 of the Assistant Superintendent of Police, Sampla, District Rohtak, already filed in the Registry, is taken on record.

This is the second petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 61 dated 01.03.2020, under Sections 409, 420, 467, 468, 471 and 120-B IPC, registered at Police Station IMT Rohtak, District Rohtak.

Learned counsel for the petitioner submits that the FIR was lodged at the instance of complainant-Mahavir and the petitioner has falsely been implicated in the present case. Although the petitioner has been in custody for the last more than one year and six months, yet there is no headway in the trial proceedings and out of 33 prosecution witnesses, none has been examined so far. On this premise, learned counsel for the petitioner prays for grant of bail.

He further submits that the challan was presented in the month of May, 2020, but the competent authority granted the sanction to prosecute the petitioner on 10.09.2021.

Learned State counsel while vehemently opposing the prayer for bail, submits that the petitioner along with one Sandeep, was working as Cashier in the Bank and had embezzled the amount. Moreover, the earlier bail petition of the petitioner was dismissed on merits on 07.08.2020. The FSL report also indicates that the thumb impressions on the withdrawal slips are of the petitioner, which clearly shows the active involvement of the petitioner in the crime. He however, does not dispute the custody period of the petitioner and that no prosecution witnesses has been examined so far.

I have heard the learned counsel for the parties.

The petitioner has been in custody for the last more than one year and six months. Though the case is at the stage of evidence, yet the trial will take time to conclude, especially due to prevailing situation of Covid-19. Thus, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

**(HARNARESH SINGH GILL)**  
**JUDGE**

**27.09.2021**  
*Mangal Singh*

Whether reasoned/speaking?  
Whether reportable?

Yes/No  
Yes/No