

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(209)

CRM No. M-12917-2021

Date of Decision : 20.08.2021

Vikram @ Vicky

....Petitioner

Versus

State of Haryana

.....Respondent

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Vishwajeet, Advocate for the petitioner.

Mr. Karan Garg, Assistant Advocate General, Haryana.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 70, dated 21.03.2020, registered under Section 379-A, 411 and 201 IPC at Police Station Kalayat, District Kaithal.

Learned counsel for the petitioner argues that the only allegation alleged against the petitioner is that the petitioner was buying the stolen property and in the present case also, one of the earrings belonging to the complainant is alleged to have been recovered from the petitioner. Learned counsel for the petitioner submits that petitioner is behind the bars for the last more than one year and once investigation is over and the charges have been framed, no useful purpose will be served in keeping the petitioner behind the bars.

Notice of motion.

Mr. Karan Garg, learned Assistant Advocate General, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State and produced custody certificate of the petitioner, which is taken on record.

Learned State counsel concedes that though the petitioner is correct to submit that the allegations alleged against him is of purchasing the stolen property but there are eight other cases, which have been registered against the petitioner for the similar acts. Learned State counsel submits that though in the reply only the details of four cases have been given but actually now it transpires that the petitioner is facing eight other cases of the similar nature, hence, as the petitioner is a habitual offender, the prayer for the grant of bail may kindly be rejected.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

The allegations against the petitioner are yet to be proved in the trial. The challan has already been submitted and the charges have been framed. It is conceded by learned State counsel that the petitioner is already on bail in all other cases of similar nature except the present case.

Keeping in view the fact that petitioner has already undergone more than one year in custody and the trial is likely to take some time before the same concludes, no useful purpose will be served keeping the petitioner behind the bars, especially, when learned counsel for the petitioner has undertaken before this Court that the petitioner will not influence the trial in any manner and will maintain good conduct, if he is granted bail. In case of default of the undertaking, the State will be at liberty to approach this Court

for passing appropriate orders.

The petitioner is directed to be released on regular bail in this case subject to the satisfaction of the trial Court/Duty Magistrate concerned, if he is not required to be retained in jail in any other case.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

August 20, 2021
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No