

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

CRM-M-15430-2021

Date of Decision : 27.08.2021

Shabbu @ Tanba

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Arshdeep S. Kler, Advocate
for the Petitioner.

Mr. Bhupender Singh, DAG, Haryana.

SUDIP AHLUWALIA, J. (ORAL)

The instant Petition has been filed under Section 439 of the Code of Criminal Procedure seeking Regular Bail on behalf of the Petitioner in case FIR No.131, dated 10.07.2019, registered under Section 397 of the Indian Penal Code, at Police Station Bhattu Kalan, District Fatehabad.

2. The Petitioner has remained in detention in the present case for more than two years since 12.07.2019.

3. On the previous date (16.07.2021) when this matter had come up for consideration before a Co-ordinate Bench, the Ld. Trial Court had been directed to make earnest efforts to record statements of the eye-witnesses at the first instance by the adjourned date.

4. Report from the Ld. Trial Court (Additional Sessions Judge, Fatehabad) has been received in which it has been mentioned that

statements of the Complainant-Gaurav and eye-witnesses namely Rahul, Gagandeep and Baljeet have since been recorded and the matter is now posted in the Ld. Trial Court for further evidence on 29th of September.

5. Considering the long detention undergone by the Petitioner, along with the fact that evidence of the material witnesses has been recorded by the Ld. Trial Court in compliance of the previous order and there is no record of the Petitioner's involvement in any other criminal case, at this stage, this Court is of the opinion that further detention of the Petitioner for an indefinite period is not called for. As such, he is ordered to be released on bail subject to the satisfaction of the Ld. Trial Court/Duty Magistrate concerned.

6. Disposed off.

August 27, 2021

Dpr

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No