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

CRM-M-30713-2021

Date of Decision: 10.08.2021

Soran @ Charra

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ashok K. Sharma Bhana, Advocate for the petitioner.

Kanwar Sanjiv Kumar, AAG, Haryana.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail, pending trial in case FIR No.303 dated 13.08.2019 registered under Section 379-A IPC at Police Station Civil Lines Jind, District Jind. The petitioner is in custody since his arrest on 30.09.2019.

The above FIR was registered on the complaint moved by Dalbir Singh, which reads as under:

“It is submitted that I, Dalbir Singh son of Hukum Chand Shanna am resident of village Radhana District Jind and working on rent of putting the soil. Yesterday on 12.08.2019 when I was returning to my home after completion of my work the moment when I reached near the bridge and stopped my motorcycle and started talking on Mobile Phone then three boys came from back side and they fled away after snatching one polybag and Mobile Phone. On these broad allegations, FIR was registered.”

Learned counsel further contends that the material witness, namely, Dalbir Singh (complainant), who testified before the Court as PW-7, has not supported the prosecution case and was declared as a hostile witness. Learned counsel has further argued that the co-accused of the

petitioner have already been granted the concession of regular bail vide order dated 18.08.2020 and 30.06.2021 respectively. It is further pointed out that only eight prosecution witnesses have been examined out of total thirteen prosecution witnesses. He prays for bail.

On the other hand, the prayer is opposed by the learned State counsel, assisted by SI Laljeet Singh, on the ground that the offence is serious and the petitioner is involved in two more cases. He does not dispute the fact that the complainant stands examined. He further submits that the case is coming up before the trial Court for recording prosecution evidence on 18.08.2021.

After hearing the learned counsel for the parties, this Court finds that the material witness complainant Dalbir Singh (PW-7) has been examined, therefore, considering the above background and custodial period of the petitioner, his further detention behind the bars may not serve any useful purpose, as the trial is likely to consume considerable time to conclude.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate Jind.

The petition is allowed.

10.08.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes	No
Yes	No