

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

CRM-M-25781-2020
Date of Decision : 18.01.2021

Navpreet

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Pawan Attri, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. A.G., Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This is a petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.15 dated 09.02.2020 under Sections 392 and 201 IPC at Police Station Dhand, District Kaithal.

Learned counsel for the petitioner submits that the petitioner is in judicial custody for the last about 07 months and he is not involved in any other case.

Learned counsel for the petitioner further submits that petitioner was not named in the FIR and his name surfaced during the investigation.

Learned counsel for the petitioner further submits that in fact the SIM Card recovered from the mobile phone is in the name of one Rajesh Kumar and it will be a debatable issue that whether the petitioner was actually using the stolen mobile phone or not.

Learned State counsel could not dispute the factual position. It is also not disputed that *challan* stands presented and there are 10 prosecution witnesses, out of which, none has been examined so far.

Without commenting upon the merits of the case and considering the fact that petitioner is not involved in any other case; he is in judicial custody since 06.06.2020 and also in view of the fact that conclusion of trial is likely to take a long time as no prosecution witness has been examined so far, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

18.01.2021

Waseem/Chetan

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No