

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

CRM-M-35093-2020 (O&M)

Date of decision: 24.11.2021

Dilpreet Khan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Mohit Garg, Advocate for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. A.G., Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 432 dated 06.08.2020, registered under Section 379-B IPC and Section 25 of the Arms Act, at Police Station Pehowa, District Kurukshetra.

Reply by way of affidavit dated 12.03.2021 of the Deputy Superintendent of Police, Pehowa, District Kurukshetra, already filed in the Registry, is taken on record.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. The allegation against the petitioner is that he alongwith other persons has stolen 25 boxes of liquor and Rs. 70,000/- from the cash box of the liquor vend and a mobile phone and wallet of a salesman were also snatched. Whereas as per the FIR, four other boys, alleged to be came in a Pajero Car, out of them one boy was having a

pistol and another one was having a knife, but no investigation was conducted qua them. The petitioner has been in custody since 11.08.2020.

He further submits that as far as FIR No. 174 dated 22.11.2016 under Sections 353 and 186 IPC at Police Station Dhirba, District Sangrur, is concerned, the same was registered way back on 22.11.2016.

Learned State counsel, while opposing the prayer for bail submits that the recovery of 2 boxes of liquor and Rs. 9,500/- has been effected from the petitioner. However, he does not dispute the custody period of the petitioner. He submits that Challan stands presented and out of 18 prosecution witnesses, none has been examined so far.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 11.08.2020. The prosecution witnesses are yet to be examined, therefore, the conclusion of the trial would take a long time. Hence, 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 interim bail granted to the petitioner by a Coordinate Bench, vide order dated 04.11.2020 is confirmed, subject to his furnishing fresh bail and surety bonds to the satisfaction of the learned Chief Judicial Magistrate/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

24.11.2021
Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No