

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

205

CRM-M-990 of 2021
Date of Decision : 31.08.2021

Sadkeen

..Petitioner

Versus

State of Haryana

...Respondent

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Arjun Attri, Advocate for the petitioners.

Mr. Karan Garg, AAG, Haryana.

Harsimran Singh Sethi, J. (Oral)

Custody certificate filed by the learned State counsel in the Court today is taken on record.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.237 dated 12.12.2019 registered under Sections 3/13(1) and 8/13(3) of the Haryana Sanrakshan and Gausamvardhan Act, 2015 at Police Station Bichhor, District Mewat.

Learned counsel for the petitioner argues that the petitioner was not found at the spot and the allegations alleged against the petitioner in the FIR are totally incorrect and false. Learned counsel for the petitioner submits that the petitioner is behind the bars for the last more than 10

months and the charges have already been framed and, therefore, no useful purpose will be served by keeping the petitioner behind the bars.

Learned State counsel submits that the petitioner is a habitual offender and there are other cases of similar nature pending against him, therefore, the petitioner may not be granted the benefit of regular bail.

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

Once the charges have already been framed against the petitioner and the trial is likely to take sometime before it concludes, no useful purpose will be served by keeping the petitioner behind the bars, as the allegations alleged against the petitioner are yet to be established during the trial and especially, when learned counsel for the petitioner undertakes that the petitioner will maintain good conduct while on bail and will not obstruct the trial in any manner or influence the witnesses, whose statement is yet to be recorded, the petitioner has made out a case for the grant of regular bail.

In case of default of the above undertaking or in case, any complaint is received alongwith some cogent evidence that the petitioner is interfering in the trial or intimidating the witnesses, the State will be at liberty to approach this Court for re-consideration of the present order granting bail to the petitioner.

Without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of trial Court/Duty Magistrate concerned.

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 31, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No