

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

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CRM-M-7297-2022 (O&M)

Date of Decision: 08.07.2022

SANDEEP

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Vikas Rohal, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

HARNARESH SINGH GILL, J.(Oral)

CRM-20045-2022

Application is allowed, as prayed for.

Annexure P-4 is taken on record.

Registry is directed to tag the same at an appropriate place.

CRM-M-7297-2022

Through this petition, the petitioner seeks regular bail in case bearing FIR No.144 dated 04.06.2020, registered under Sections 379-B, 34 IPC and Section 27 of the Arms Act, at Police Station Israna, District Panipat.

Learned counsel for the petitioner submits that the petitioner has not been named in the FIR; that the petitioner has falsely been involved in the present case; that the petitioner has been in custody since 05.09.2021 and that, on 25.02.2022, the complainant and the eye-witness, while appearing as PW-5 and PW-7 before the learned trial Court, have not supported the prosecution version and turned hostile.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that though the petitioner has not been named in the FIR, yet the fact remains that he had actively participated in the occurrence in snatching Rs.10,000/- from the Dhaba. He further submits that the petitioner is a habitual offender, inasmuch as, three more FIRs have been registered and/or pending against him, out of which, in two cases, he stands acquitted and in one convicted.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 05.09.2021. PW-5 and PW-7 have not supported the prosecution version and turned hostile. In other cases, the petitioner either stands convicted or acquitted. Some of the prosecution witnesses are yet to be examined. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

08.07.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>