

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-20351-2022

Date of Decision: 14.10.2022

Sunil Kumar @ Sonu

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. S.K.Verma, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.42 dated 24.1.2021 registered for the offences punishable under Sections 398, 401 IPC and Section 25 of Arms Act at Police Station City Jind, District Jind.

Counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and is languishing behind the bars for the last more than 1 year and 8 months and it will take considerable time for trial to conclude. He further submits that in all other criminal cases whose detail is mentioned in the custody certificate, he is not absconder.

Present petition is resisted by the State counsel who submits that trial is going on and already, 10 prosecution witnesses have been examined and that the petitioner is having criminal antecedents.

I have considered the submissions made by the counsel for the

parties.

As per allegations appearing in the FIR, the police received secret information and thereafter, raided the disclosed place from where the petitioner was apprehended and one pistol of 315 bore along with two live cartridges were recovered from his possession. As per custody certificate, the petitioner is in custody for the last more than 1 year and 8 months. No doubt, the petitioner is also facing some other criminal cases but as has been stated by his counsel, the petitioner is on bail in the said cases.

It will take time for conclusion of trial. Thus, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

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

(KARAMJIT SINGH)
JUDGE

October 14, 2022

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No