

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

**CRM-M-25518-2021
Date of Decision: 10.01.2022**

Pardeep Singh

....Petitioner

VS

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. N.S. Sidhu, Advocate
for the petitioner

Mr. Rajneesh Chadwal, AAG Haryana

SUDHIR MITTAL, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 409 dated 15.07.2017 registered at Police Station Sadar Rattia Fatehabad under Section 395 IPC and Section 25 of the Arms Act, 1959.

Learned counsel for the petitioner submits that the petitioner was earlier granted regular bail by this Court vide order dated 21.02.2018 as the complainant had failed to recognize him in Court. Thereafter, the bail was cancelled as he could not appear on 01.10.2019 as he had been named as an accused in another FIR under Section 302 IPC and the police was on the look out for him. He has since been acquitted in the said case. There are five other pending cases against him out of which he is on bail in three cases. In the FIR under Section 302 IPC he has been acquitted. There is another case under Section 138 of the Negotiable Instruments Act, 1881 pending against the petitioner but that case is a civil case. The trial is not likely to be concluded at an early date and, thus, the petitioner may be granted regular bail.

A perusal of the custody certificate shows that the petitioner has been in custody for about 8 months. There are other pending cases as discussed hereinabove.

Learned State counsel does not dispute the submissions made by counsel for the petitioner regarding the other pending cases nor does he dispute the fact that the complainant has not supported the case of the prosecution. He only states that the next date of hearing before the trial Court is 12.04.2022 and 9 out of 13 prosecution witnesses have already been examined.

Keeping in view the fact that four prosecution witnesses still remain to be examined as well as the fact that the petitioner has undergone actual custody of more than 8 months and the complainant has failed to identify the petitioner in Court, I deem it appropriate to grant regular bail to the petitioner.

The petition is, accordingly, allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(SUDHIR MITTAL)
JUDGE

10.01.2022
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Whether speaking/reasoned	Yes/No
Whether Reportable :	Yes/No