

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

CRM-M-25159-2022
Date of Decision:-**11.10.2022**

VIKRAM YADAV

... Petitioner

Versus

STATE OF HARYANA

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Mazilsh Khan, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

-.-

KARAMJIT SINGH, J. (Oral)

The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.28 dated 2.2.2022 registered under Sections 395, 365, 323, 506, 412 IPC at Police Station Sadar, District Jhajjar.

The counsel for the petitioner submits that FIR in this case was registered against unknown persons regarding theft of construction material and the petitioner was arrested on 10.2.2022 and no stolen article was recovered from his possession during the investigation of the case. The counsel further submits that after completion of investigation challan has been presented and charges has been framed but it will take considerable

time for the trial to conclude. He further contends that the petitioner is having no criminal history and no purpose is going to be served by prolonging the judicial incarceration of the petitioner.

The instant petition is resisted by the State counsel, who submits that no doubt the FIR was registered against the unknown persons, the petitioner was arrested by the police on 10.2.2022. The State counsel has not refuted the fact that no recovery was effected from the petitioner and that after completion of investigation, challan has been presented and now case is fixed for prosecution evidence after framing of charges. She has also not disputed the fact that the petitioner is not involved in any other criminal case.

I have considered the submissions made by counsel for the parties.

In the present case, FIR was registered against unknown persons regarding theft of construction material and during investigation petitioner was arrested on 10.2.2022 and no stolen article was recovered from his possession. After completion of investigation, the police has presented the challan and charges are framed and now the case is fixed for prosecution evidence and it will take considerable time for the trial to conclude.

In view of the above, as it will take time for the trial to terminate, so no purpose is going to be served by keeping the accused behind the bars for any longer period.

Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

11.10.2022

Gaurav Sorot

**(KARAMJIT SINGH)
JUDGE**

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No