

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

(215)

CRM-M-3854-2023

Date of Decision: 30.01.2023

Dheeraj @ Dheeru

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Mukesh Mehra, Advocate, for the petitioner.

Mr. Sumit Jain, AAG, Haryana.

HARKESH MANUJA, J.(ORAL)

By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, petitioner is seeking grant of regular bail pending trial in FIR No.92 dated 03.04.2019 registered under Sections 420, 467, 468,471, 201, 120-B of IPC at Police Station City Ratia, District Fatehabad (Annexure P-1).

Learned counsel for the petitioner submits that petitioner has been behind the bars for the last more than 2 years, 2 months and 23 days and was implicated on basis of statement made by the co-accused namely Rajpal Singh. He also submits that investigation already stands concluded, charges framed and 14 witnesses out of the total 35 cited by the prosecution have been examined. The trial is likely to take time and thus, the petitioner deserves concession of regular bail.

On the other hand, prayer made herein is opposed at the instance of learned State counsel while submitting that there are 6 cases of similar

nature pending against the petitioner and thus, petitioner does not deserve the concession of regular bail.

I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.

Considering the fact that investigation in the present case has already been concluded and the trial is likely to take some time wherein, 14 witnesses out of 35 witnesses cited by the prosecution have been examined. The petitioner has already remained behind bars for the last more than 2 years, 2 months and 23 days and as regard the other cases, on instructions from SI Rajbir Singh, learned State counsel submits that in all the 6 cases, petitioner has not been named in the FIR and has been implicated on the basis of disclosure statement of other co-accused. Thus, he deserves concession of regular bail.

Without commenting anything on the merits, lest it may prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

However, nothing expressed hereinabove shall be construed as an expression on the merits of the case.

(HARKESH MANUJA)
JUDGE

30.01.2023
anil

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