

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

**CRM-M-7290-2023
Decided on:-20.04.2023**

Majid @ Bajja

....Petitioner..

vs.

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Sunny Tyagi, Advocate,
for the petitioner.

Mr. R.K. Ambavta, AAG, Haryana.

HARKESH MANUJA J.

By way of present petition filed under Section 439 Cr.P.C, prayer has been made for grant of regular bail pending trial in case FIR No.0627 dated 26.10.2022, under Sections 323, 506 IPC and Section 25 of the Arms Act, 1959 (Sections 395, 307 IPC added and 398 IPC removed later on), registered at Police Station Tehsil Camp Panipat, District Panipat.

Learned counsel for the petitioner submits that the petitioner was implicated on the basis of disclosure statement made by one Apsaroon, who has been arrested from the spot while trying to commit robbery armed with deadly weapons.

Learned counsel for the petitioner submits that the petitioner is in custody for the last more than 4½ months now and the investigation in the present case already stands concluded with the filing of challan followed by framing of charges, however, none has been examined out of total of 20

witnesses cited by the prosecution, thus, the trial is likely to take some time.
He further submits that no other case is pending against the petitioner.

On the other hand learned State counsel opposes the prayer made on behalf of the petitioner while submitting that there are serious allegations against the petitioner.

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 the petitioner is behind the bars for the last more than 4½ months now, the investigation in the present case already stands concluded with the filing of challan followed by framing of charges, however, no prosecution witness has been examined so far out of total of 20 cited by the prosecution and thus, trial is likely to take some time, I do not find any reason to extend the incarceration of the petitioner any further, particularly when he was implicated only on the basis of disclosure of co-accused Apsaroon, who was already arrested from the spot, besides it, petitioner even being the first offender.

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

20.04.2023
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(HARKESH MANUJA)
JUDGE

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