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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

216-A

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Date of decision: 24.04.2023

SUKHDEV RAM @ SABI

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Ms. Ramandeep Kuar, Advocate for
Mr. Gurpal Singh Sandhu, Advocate
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

DEEPAK MANCHANDA, J.(ORAL)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.411 dated 16.08.2022 under Sections 392 and 395 of IPC, registered at Police Station City Mandi Dabwali, District Sirsa, Haryana, who is alleged to have looted the complainant.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and has been named in the FIR on the disclosure statement of co-accused Jagsir Ram. The petitioner is in custody since 18.08.2022. He submits that the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail. He further submits that the petitioner is not involved in any other case.

On the other hand, learned State counsel assisted by Investigating Officer has opposed the aforesaid prayer on the ground that allegations levelled against the petitioner are serious in nature. However, he has not disputed the fact that challan has been presented, charges have been

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framed and in total, there are 16 prosecution witnesses but till date no witness has been examined. Learned State counsel further submits that the petitioner is not involved in any other case.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 18.08.2022.

It is not a case made out by the respondent-State that in case concession of bail is granted to the petitioner, he would hamper the course of free and fair trial. Further, since the trial would take sufficient time, no useful purpose would be served in keeping the petitioner behind bars.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

April 24, 2023

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(DEEPAK MANCHANDA)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No