

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-18584-2023

Decided on:-21.04.2023

Vikas Shah @ Raju @ Bhikash Shah

....Petitioner..

vs.

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Pranav Handa, Advocate with
Mr. Somnath Bhattacharya, Advocate,
for the petitioner.

Mr. R.K. Ambavta, AAG, Punjab,
for the respondent-State.

HARKESH MANUJA J.

Present petition has been filed under Section 439 Cr.P.C. seeking regular bail pending trial in case FIR No.445 dated 28.12.2022, under Sections 380 and 457 IPC, registered at Police Station Sector 6, Bhadurgarh, District Jhajjar.

The allegations against the petitioner are that he along with his co-accused committed theft of 40-50 laptops after breaking open the lock of the shop of the complainant.

Learned counsel for the petitioner submits that the petitioner is first offender and there is no other case pending against him. He also submits that petitioner is behind the bars for the last more than 3 months and the investigation in the present case already stands concluded with the filing of challan, whereas, conclusion of trial is likely to take some time.

On the other hand, learned State counsel vehemently opposes the prayer made in the present petition by submitting that there are serious allegations levelled against the petitioner and recovery of 06 laptops and the motorcycle used in the commission of offence have already been made from 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 first offender, the investigation in the present case already stands concluded with the filing of challan and trial is likely to take some time, thus, no useful purpose is going to be served by extending his incarceration, who is in custody for the last more than 03 months now.

In view of the above, without expressing any opinion on the merits of the case, the present petition is allowed. 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.

21.04.2023

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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/ No