

VS.

Learned counsel for the petitioner contends that the petitioner was not named in the FIR nor any physical description was mentioned in the FIR. Later on, it has been alleged that a secret information was received and on the basis of the same, he was falsely involved in the present case. She further contends that the petitioner was arrested in the present case on 16.02.2023 and the investigation has been completed. She further contends that the vehicle in question was also recovered from the present petitioner. The prosecution has cited 9 witnesses, but the trial is not even formally commenced. Thus, the conclusion of the trial will take quite long time. She further submits that the petitioner is not involved in any other case.

On the other land, learned State counsel has not disputed the above said fact.

I have heard the learned counsel for the parties and perused the record.

It is not in dispute that the petitioner is in custody since 16.02.2023 and none of the witnesses have been examined till date. Still further, the recovery has already been effected from the present petitioner and his co-accused.

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

(N.S.SHEKHAWAT)
JUDGE

07.07.2023
hemlata

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