

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

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**CRM-M-28299-2022 (O&M)
Date of decision: 13.01.2023**

Monu @ Amit @ Tunda

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Saurabh Dalal, Advocate for the petitioner.

Mr. Rajesh Gaur, Addl. AG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

CRM-22754-2022

Application is allowed as prayed for.

Main case:

Through this 2nd petition, the petitioner seeks regular bail in case bearing FIR No.134 dated 14.06.2020, registered at Police Station Sadar Dadri, District Charkhi Dadri, under Sections 379-A and 411 IPC. The earlier bail petition of the petitioner was dismissed as withdrawn on 11.02.2022.

The status report filed on behalf of the respondent-State is already on record.

Learned counsel for the petitioner contends that out of total six accused arraigned in the present FIR, five accused have since been granted bail by learned trial Court; that the petitioner has been in custody since 28.11.2020; that as far as other cases against the petitioner are concerned, he has been acquitted in some of the cases and in rest of the cases he is on bail and that challan has been presented and some of the prosecution witnesses are yet to be examined.

Learned State counsel, while opposing the prayer for bail submits that the petitioner has actively participated in the occurrence and he along with other co-accused have snatched vehicle, two mobile phones, Driving License, ATM Card, Credit Card and wallet containing Rs. 7,000/- or Rs. 8,000/- lying in the vehicle from the complainant. The recovery of number plate of stolen vehicle was effected from the petitioner. The petitioner is a habitual offender and is involved in 12 other cases. However, he does not dispute the custody period of the petitioner. He submits that some of the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

Though the recovery of number place of stolen vehicle was effected from the petitioner but the fact remains that the petitioner has been in custody since 28.11.2020. As far as other cases against the petitioner are concerned, he has been acquitted in some of the cases and in rest of the cases he is on bail. Some of the prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would take a long time. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

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

(HARNARESH SINGH GILL)
JUDGE

13.01.2023

Mangal Singh

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No