

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

213

CRM-M-47617 of 2022

Date of Decision:12.07.2023

Pardeep

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Robin Singh Hooda, Advocate,
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.345 dated 29.08.2021, under Sections 392, 379-B, 458 IPC and Section 25-54-59 of the Arms Act, registered at Police Station Sadar Jhajjar, District Jhajjar.

2. It is submitted by learned counsel for the petitioner that the petitioner is in custody for about one year and three months and charges in the present case have already been framed but no prosecution witness has been examined till date. He submitted that as per the allegations contained in the FIR, the petitioner had come to the liquor vend and after threatening the salesman had taken away 26 cartoons of English liquor and Beer and 7 cartoons of country made liquor and fled away from the spot. He further submitted that the petitioner has been falsely

implicated in the present case and therefore the petitioner may be considered for the grant of regular bail.

3. On the other hand, Mr. Naveen Kumar Sheoran, learned DAG, Haryana has submitted that it is correct that the petitioner has already faced incarceration for about one year and three months and after the framing of the charges no prosecution witness has been examined till date. He has however opposed the grant of bail to the petitioner on the ground that the petitioner is involved in three more cases.

4. I have heard learned counsel for the parties.

5. The petitioner has already faced incarceration for about one year and three months. The charges in the present case have already been framed but no prosecution witness has been examined. It is a case of no injury and on the basis of alleged threats given to the salesman of the liquor vend that some liquor was allegedly taken away by the petitioner and he fled away.

6. In view of the aforesaid position, this Court is of the view that since the investigation of the case has already been completed and the charges have been framed and no recovery is to be effected from the petitioner and the trial of the case may take long time since no witness has been examined till date, the petitioner shall be entitled for the grant of regular bail. Consequently, the present petition is allowed. The petitioner shall be released on regular bail, if not required in any other case, subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

7. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of

decision of the present petition.

(JASGURPREET SINGH PURI)
JUDGE

July 12, 2023
dinesh

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