

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-8000-2024
DECIDED ON: 20.02.2024

RAVINDER ALIAS RANA
.....PETITIONER

VERSUS

STATE OF HARYANA
.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. K.L. Saini, Advocate
for the petitioner.

Mr. Gurbir Singh Dhillon, AAG Haryana.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Section 439 Cr.P.C., seeking regular bail to the petitioner in FIR No.325, dated 21.12.2022, under Sections 323, 365, 379-B, 506 and 201 of IPC and Sections 25, 25(1-AA) of Arms Act, 1959, registered at Police Station Garhi, District Jind.
2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, as he was not present at the time alleged recovery was effected. He further submits that the petitioner is behind bars for the last 1 year, 1 months and 15 days and is not involved in any other case of any nature.
3. Learned State counsel has filed the custody certificate of the petitioner, which is taken on record. He could not controvert the facts as narrated by the counsel for the petitioner, though states that three pistols have been recovered from the possession of the petitioner, however he has inflicted injuries with butt of that pistols have been inflicted.

4. Heard, learned counsel for respective parties.
5. Considering the fact that the petitioner has already suffered incarceration of 1 years, 1 months and 15 days, wherein charges were framed on 09.01.2024 and 19 prosecution witnesses are to be examined, which will certainly take long time added with the fact that the petitioner is a person of clean antecedents, as he is not involved in any other case, no useful purpose would be served by keeping him behind bars for an indefinite period, which would violate the principle of right to speedy trial and expeditious disposal under Article 21 of Constitution of India, as has been time and again discussed by this Court, while relying upon the judgment of the Apex Court passed in *Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131*.
6. In light of the above discussions made hereinabove, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.
7. The present petition is hereby allowed.
8. However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

20.02.2024

Meenu

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>