

CRM No. M-19019 of 2015

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

CRM No. M-19019 of 2015

Date of Decision: June 11, 2015

Banarasi @ Kala

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Kartar Singh Malik-I, Advocate
for the petitioner.

Ms. Tanisha Peshawaria, DAG, Haryana.

AUGUSTINE GEORGE MASIH, J. (Oral):

Petitioner has approached this Court praying for the grant of regular bail under Section 439 of the Code of Criminal Procedure in FIR No.246 dated 21.06.2014, under Sections 394 IPC (Section 397 IPC added later on) and 25-54-59 of Arms Act, registered at Police Station City Rohtak, District Rohtak.

It is the contention of the counsel for the petitioner that the petitioner has been falsely implicated in this case. He contends that during the examination of the prosecution witnesses before the trial Court, PW-2 Sant Lal Sehgal (complainant) and PW-4 Devender son of Sant Lal that they have not identified the petitioner, rather, they stated that the accused present in Court was not the assailants and had not looted the jewellery shop. He further contends that the co-accused of the petitioner, namely, Bhupinder has already been

CRM No. M-19019 of 2015

released on regular bail by this Court on 08.05.2015 in CRM-M No.14307 of 2015.

Counsel for the State could not dispute the facts as have been asserted by the counsel for the petitioner.

In view of the above, the present petition is allowed. Petitioner is directed to be released on bail to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, Rohtak.

June 11, 2015
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE