

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

CRM-M No. 20344 of 2015
Date of decision : 26.06.2015

RahulPetitioner

Vs.

State of HaryanaRespondent

CORAM: Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Mr. Ashit Malik, Advocate for the petitioner
Mr. Manoj Kumar Sangwan, DAG, Haryana

Harinder Singh Sidhu, J.

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No.1 dated 02.01.2015 under Sections 392 and 397 read with section 34 IPC and 25 of the Arms Act, registered at Police Station City, Kharkhoda, Sonapat, Distt. Sonapat.

As per the FIR, the complainant-Deepak was going from Karnal to Gujran on trolly and when he reached near Kharkhoda-Sampla bypass then a white coloured car came from behind and stopped in front of his trolly. Three young boys alighted therefrom and out of them, one was having a pistol in his hand, who came to the side of the window of driver and placed pistol on the temple of complainant-driver. He snatched his purse containing Rs.2000/-, driving licence and some other papers.

Learned counsel for the petitioner states that Deepak, complainant in his deposition before the trial court has

clearly stated that the petitioner, present in the court, was not one of those, who had robbed him. Similarly PW-4 Prem Singh has stated that the petitioner was not one of amongst the robbers. He further states that the petitioner is in custody since 03.01.2015. The petitioner is a student and has cleared his 10+2 exam. in 2014. He appeared in the 2nd year of the Medical Lab Technology Exam. from Ganesh Diagnostic and Imaging Centre, New Delhi. He is a first offender with no previous criminal record.

Learned State counsel, on instruction received from ASI Pardeep, who is present in the Court, states that against the co-accused of the present petitioner, two FIRs have been registered.

Be as it may , no such FIR has been pointed out against the petitioner. Accordingly, keeping in view the aforesaid facts it is directed that the petitioner be released on regular bail on furnishing bail bonds/surety bonds to the satisfaction of CJM/Duty Magistrate, Sonapat.

Nothing expressed herein shall be construed as an expression on the merits of the case and have been made only for the purpose of deciding the present petition.

The present petition stands disposed of accordingly.

(Harinder Singh Sidhu)
Judge

26.06.2015
dinesh