

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

CRM No. M-21184 of 2015 (O&M)

Date of Decision: 08.07.2015.

Sanju

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. R.A. Sheoran, Advocate for the petitioner.

Mr. Nikhil K. Chopra, DAG, Punjab.

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TEJINDER SINGH DHINDSA.J.

Petitioner seeks the benefit of regular bail pending trial in case FIR No.453 dated 30.10.2011, under Sections 395/397/412 IPC, registered at Police Station Sadar Bahadurgarh, District Jhajjar.

Counsel for the parties have been heard.

FIR in question was registered on the statement of Satyawan, who stated himself to be working as Driver of a Tanker. Occurrence was stated to be on 30.10.2011 in the middle of night whereupon tanker in question was intercepted by a jeep of white colour and out of which three boys had alighted and snatched the bag, containing Rs.18,96,000/- by giving beatings to the complainant as also to the Conductor.

Petitioner has been implicated in the present case on the basis of a disclosure statement in another case registered at Police Station Sadar Dadri, District Bhiwani on 20.10.2012 under Sections 398/401 IPC. In that case, the petitioner had earned acquittal in relation to offence under Section

an appeal having been preferred, his sentence has been ordered to be suspended.

Petitioner has been in custody since 21.10.2012. Material witness i.e. the Driver Satyawar PW1 and the Conductor Karan Singh, PW10 have already been examined and did not support the prosecution version.

The trial has been held up on account of the fact that co-accused has since been declared as proclaimed offender.

In the totality of circumstances and keeping in view the length of incarceration already suffered by the petitioner, this Court is of the considered view that the petitioner is held entitled to the concession of bail.

Accordingly, petition is allowed. Petitioner, Sanju be enlarged on bail subject to satisfaction of the CJM/Duty Magistrate, Jhajjar.

Disposed of.

08.07.2015

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**