

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

248

CRM-M-21389 of 2015

Date of Decision: July 10, 2015

Naib Singh @ Naseeb

....Petitioner

VS

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Jitender Dhandra, Advocate, for
Mr. Sunil Saharan, Advocate,
for the petitioner.

Mr. M.S. Sidhu, Addl. AG, Haryana.

TEJINDER SINGH DHINDSA, J. (Oral)

Petitioner seeks the benefit of regular bail in case FIR No.45 dated 18.01.2011, registered under Sections 396/420/120-B/412/216 of IPC, 25/54/59 of Arms Act at Police Station Ratia, District Fatehabad, during pendency of the trial.

Learned counsel for the parties have been heard.

As per prosecution version the occurrence is stated to be of 18.01.2011 wherein occupants of the car were waylaid and an amount of Rs.22 lacs was snatched. In the occurrence one Bhim Singh lost his life. The allegations against the present petitioner are with regard to having conspired with other co-accused even though no specific role has been attributed to him.

The petitioner has been in custody since 13.03.2011.

This Court has further been apprised that even though in the trial entire prosecution evidence have been led but one of the co-accused was held to be a juvenile after recording of the statement under Section 313 Cr.P.C. and which order was challenged by way of filing CRR No.211 of 2015 before this Court and vide order dated 21.01.2015, operation of such order was stayed .

It is under such circumstances that the present petitioner is still languishing in custody.

In the totality of circumstances and without making any observations on merits and keeping in view the length of incarceration already suffered by the petitioner, he is held entitled to the concession of bail.

Petition is allowed.

Petitioner be enlarged on bail subject to the satisfaction of CJM/Duty Magistrate, Fatehabad.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

10.07.2015
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