

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-21660-2015
Date of Decision: August 17, 2015

Ashok

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr. Sant Pal Singh Sidhu, Advocate,
for the petitioner.

Mr. Kuldeep Tiwari, Addl. AG, Haryana,
for the respondent.

1. *Whether Reporters of local papers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

NARESH KUMAR SANGHI, J (Oral)

Prayer in this petition, filed under Section 439, Cr.P.C., is for grant of bail to the petitioner, Ashok, son of Devi Dass, resident of Indira Colony, Tehsil and District Karnal, who has been booked for having committed the offences punishable under Sections 120-B, 379, 383, 427 and 506, IPC, in a case arising out of FIR No. 401, dated 5.5.2015, registered at Police Station, City, Karnal. Learned counsel for the State has pointed out that the petitioner has also been booked for the offence punishable under Section 382, IPC.

Learned counsel contends that all the offences for which the petitioner has been booked are triable by learned Judicial Magistrate First Class; the petitioner is behind the bars from

29.5.2015; after completion of the investigation, the charge-sheet (report under Section 173, Cr.P.C.) has been presented before learned Area Judicial Magistrate and, as such, the investigation qua the petitioner is complete; the petitioner is neither required nor involved in any other case except a case under Section 323 IPC etc.; and that the petitioner shall abide by all the conditions to be imposed by this Court while granting bail to him.

Learned counsel for the State on instructions from ASI Bahadur Singh of Police Station, City, Karnal, very fairly concedes that the petitioner is behind the bars from 29.5.2015; all the offences for which the petitioner has been booked, are triable by learned Judicial Magistrate First Class; and that after completion of the investigation, the charge-sheet has already been presented.

I have heard learned counsel for the parties and with their able assistance gone through the material available on record.

Keeping in view totality of the facts and circumstances of the case, the present petition is allowed. The petitioner, Ashok, son of Devi Dass, resident of Indira Colony, Tehsil and District Karnal, is ordered to be released on bail during pendency of the trial of the present case subject to his furnishing bail bond to the satisfaction of the learned Trial Court.

(NARESH KUMAR SANGHI)
JUDGE

August 17, 2015
Pkapoor