

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

CRM-M No.23683 of 2015

Date of Decision:-17.09.2015

Rachit Kumar.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Parminder Singh, Advocate for the Petitioner.

Mr. Kirat Singh Sidhu, DAG Punjab along with
ASI Rajpal.

Mr. A.S. Kalra, Advocate for the complainant.

JASWANT SINGH, J.(ORAL)

Prayer is for grant of regular bail under Section 439 Cr.PC to the petitioner-Rachit Kumar in case FIR No.122 dated 13.05.2015 for offences punishable under Sections 392, 454, 506 and 34 of Indian Penal Code and Section 25 of the Arms Act registered with Police Station Kotwali Bathinda, District Bathinda.

As per the allegations petitioner along with co-accused Rajvir entered the house of the complainant during the day time with muffled faces and on gunpoint stole money on the day of occurrence i.e. On 13.5.2015. The petitioner was intercepted by the police on the next day i.e. 14.5.2015 while conducting usual checking. Consequently the marked currency stolen

along with the gun in question was recovered from the accused.

Learned Counsel for the petitioner submits that a false case has been foisted upon the petitioner. It is next submitted that the entire incident shows the highly unnatural conduct of the complainant as also the interception by the police. It is further stated that the petitioner is in custody since 14.5.2015 and the investigations are over.

Learned State Counsel on instructions from ASI Rajpal concedes that the investigations are over and the challan has been presented.

Without commenting upon the merits of the case, keeping in view the above, no useful purpose is going to be served by keeping the petitioner behind the bars. As such the present petition is allowed and petitioner is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate, Bathinda.

(JASWANT SINGH)
JUDGE

September 17, 2015
Vinay