IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CRM-M No.30217 of 2015

Date of Decision:-17.09.2015

Sandeep Kumar & Anr.

.....Petitioners.

Versus

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Tapan K. Yadav, Advocate for the Petitioner.

Mr. R.K. Doon, AAG Haryana.

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JASWANT SINGH, J.(ORAL)

Prayer is for grant of regular bail under Section 439 Cr.PC to the petitioners-Sandeep Kumar & Kuldeep in case FIR No.104 dated 07.03.2015 for offence punishable under Section 394 of Indian Penal Code registered with Police Station Kanina, District Narnaul.

As per allegations the complainant Dilbagh Singh, who is a truck driver was waylaid by three four unknown persons on the road and by causing injury on his head a sum of Rs.20,500/- were taken.

Learned Counsel for the petitioners submits that petitioner was arrested in another case bearing FIR No.79 dated 23.05.2015 and as he was granted bail in the said case, two more false cases including the present one has been foisted upon the petitioners. It is next submitted that although the allegations in the FIR are qua four persons, the police upon investigation

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has put a challan against the present two person, thus fortifying the assertion of false case foisted upon the petitioners.

Learned State Counsel on instructions from ASI Bahadur Singh concedes that in the other two subsequent FIRs the petitioners have been granted bail. He also concedes that the challan against the only two petitiones has been submitted.

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, Narnaul.

(JASWANT SINGH)
JUDGE

September 17, 2015
Vinay

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