

CRM-M- 35309-2014 (O&M)

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

CRM-M- 35309-2014 (O&M)

Date of Decision: January 12, 2015

Taleem

.....Petitioner

Versus

The State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.Gautam Dutt, Advocate
for the petitioner.

Mr.Pawan Jhanda, AAG, Haryana.

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NARESH KUMAR SANGHI, J.(ORAL)

Prayer in this petition, filed under Section 439, Cr.P.C., is for grant of regular bail to the petitioner, Taleem, who has been booked for having committed the offences punishable under Sections 395, 397 and 506, IPC, and Section 25 of the Arms Act, in a case arising out of FIR No.152, dated 11.08.2012, registered at Police Station, Pataudi, District Gurgaon.

In spite of case being adjourned, the learned counsel for the State has not filed the reply giving details of the cases, which are pending against the petitioner.

Learned counsel for the petitioner submits that in five more cases, the petitioner was arrayed as an accused; in one

case he has been acquitted and in rest of the four cases he has undergone the entire sentence for the offences punishable under Sections 174-A and 379, IPC. He further contends that two co-accused of the petitioner had faced the trial and acquitted by the learned trial Court since the aggrieved persons had failed to establish identity of the said persons. He further contends that except disclosure statements of the co-accused of the petitioner, who have been acquitted, there is no other incriminating material to connect the petitioner with the offence for which he has been booked. He further contends that petitioner is behind the bars from 03.04.2014 and after completion of the investigation the charge-sheet has been presented qua the petitioner.

Learned counsel for the State, on instructions from ASI Prahlad Singh of Police Station, Pataudi, submits that except the disclosure statements of the co-accused of the petitioner, there is no incriminating evidence connecting him with the alleged offences. He further concedes that two co-accused of the petitioner have been acquitted.

After hearing the learned counsel for the parties and going through the material available on record, the present petition is allowed. Petitioner-Taleem son of Fakru, resident of village Bawla, Police Station Tauru, District Mewat, is ordered to

be released on bail during pendency of the trial of the present case subject to his furnishing bond in the sum of ₹1,00,000/- with two sureties in the like amount to the satisfaction of learned Chief Judicial Magistrate Gurgaon.

The heavy surety has been directed in view of the past conduct and the allegations levelled in this case against the petitioner.

January 12, 2015
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(NARESH KUMAR SANGHI)
JUDGE