

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Crl. Misc.No. M-35625 of 2014 (O&M)
Date of decision : 28.01.2015

SanjayPetitioner
versus

State of Haryana ...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Jai Bhagwan, Advocate, for the petitioner

Mr. C.S. Bakhshi, Addl.A.G. Haryana

RITU BAHRI , J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner, in a case arising out of FIR No. 90, dated 01.04.2014, registered at Police Station Urbane Estate Rohtak, District Rohtak, who has been booked for having committed the offence punishable under Sections 398/401 IPC and Sections 25/54/59 of Arms Act.

On notice, a reply dated 20.11.2014 has been filed by DSP (HQ) Rohtak stating therein that F.I.R No. 462 dated 09.12.2013 under Sections 457/380 IPC was registered at P.S. Shivaji Colony, Rohtak on the complaint of Takdir against unknown person who committed theft. During investigation, the untraced report was filed on 01.03.2014. The present F.I.R was registered against Jasvir, Dinesh, Sanjay and Neeraj. During investigation, the above said accused disclosed about F.I.R No. 462/2013 and they were arrested in F.I.R No. 462/2013 having

incriminating evidence against them on 02.04.2014. The recovery of theft articles were affected.

After completion of investigation, challan was prepared and filed in the Court of Illaqa Magistrate on 09.05.2014 against all the accused. Accused Neeraj was declared juvenile by the Court and therefore, supplementary challan was prepared against him and filed in the learned Juvenile Court on 09.06.2014 and the accused Neeraj was sentenced to the period already undergone on 11.07.2014. The trial against other accused including the present petitioner is going on in the Court and the next date is 18.11.2014

Reference has been made to CRM-M-36505 of 2014 whereby the co-accused Jasbir Singh was granted bail by this Court on 09.01.2015.

Learned State counsel on instructions from S.I Shamsheer Singh submits that out of 09 prosecution witnesses, 03 have been examined.

The petitioner is in custody since 01.04.2014

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

Keeping in view the period of incarceration of the petitioner, this court feels that there is no need to detain the petitioners any longer. Accordingly, the present petition is allowed. Petitioner is ordered to be released on bail during pendency of the trial of the present case, subject to their

furnishing bail bonds to the satisfaction of the Chief Judicial
Magistrate/Duty Magistrate, Rohtak.

28.01.2015
G Arora

(RITU BAHRI)
JUDGE