

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. M- No. 41636 of 2014 (O&M)

Date of decision : 22.01.2015

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Balwant Singh

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Saurabh Sharma, Advocate
for the petitioner.

Mr. P.S. Sullar, Addl. AG, Haryana.

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No. 227 dated 11.06.2009 registered under Sections 406, 420, 465, 467, 468, 471, 506, 120-B IPC at P.S. Samalkha, District Panipat.

It is contended that the petitioner is not a beneficiary in the alleged transaction and neither has any role to play. The petitioner is not named in the FIR. The petitioner's name surfaces in the disclosure statement of co-accused Bharpoor Singh wherein the present petitioner – Balwant Singh is also stated to be accompanying the other co-accused. The petitioner was declared a proclaimed offender on 24.02.2012 but he has been in custody since 11.09.2014. There is no other case pending against the petitioner.

Learned counsel for the State, on instructions from ASI Sant Ram, has affirmed the factual position inasmuch as the petitioner is not a beneficiary in transaction. No recovery whatsoever is effected from him. No other role is attributed to him except that he

was accompanying the other co-accused on the Teshil premises at Karnal. Out of 37 prosecution witnesses, two have been examined. There is no other case against the petitioner.

Keeping in view the facts and circumstances but without expressing any opinion on the merits of the controversy, it is considered just and expedient to allow this petition.

Consequently, the petitioner shall be released on bail pending trial subject to his furnishing requisite bail bonds and surety bonds to the satisfaction of learned trial Court.

January 22, 2015
rts

(LISA GILL)
JUDGE