

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-43544-2014

Date of Decision: January 8, 2015

Satpal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr. Manoj Kumar Sood, Advocate,
for the petitioner.

Mr. Kapil Aggarwal, Addl. AG, Haryana,
for the respondent.

NARESH KUMAR SANGHI, J. (Oral)

Prayer in this petition, filed under Section 439, Cr.P.C., is for grant of bail to the petitioner, Satpal, son of Man Singh, resident of village Nangla Bilothi, Police Station, Bharatpur (Rajasthan), at present House No. 99, Gali No. 2, Hanuman Nagar, Bharat Colony, Naharpur, Old Faridabad, District Faridabad (confined in District Jail, Faridabad), who has been booked for having committed the offences punishable under Sections 120-B, 419, 467, 468 and 471, IPC, in a case arising out of FIR No. 184, dated 22.3.2014, registered at Police Station, City, Ballabgarh, District Faridabad.

Learned counsel contends that there is not an iota of

legal evidence to connect the petitioner with the offences for which he has been booked; the petitioner is neither required nor involved in any other case; the petitioner is not the beneficiary; the main accused, namely, Ravi Daggar, has not been arrested so far; the petitioner was arrested on 27.9.2014 and nothing incriminating was recovered from him; the disclosure statement suffered by Anil Bhadana disclosing the complicity of the petitioner would not be sufficient to connect the petitioner with the alleged occurrence; and that after completion of the investigation, the charge-sheet (report under Section 173, Cr.P.C.) has already been presented before the learned Area Judicial Magistrate and the case is fixed for consideration of charges

Learned counsel for the State after going through the police file and taking instructions from ASI Rajbir Singh of Police Station, City, Ballabgarh, District Faridabad, submits that in the disclosure statement of Anil Bhadana it has come on police record that the petitioner was the master-mind of the whole episode. However, he fairly concedes that except the disclosure statement of Anil Bhadana, there is no other piece of evidence to connect the petitioner with the offences for which he has been booked. He also admits that the charge-sheet (report under Section 173, Cr.P.C.) has been presented before the learned Court below. He

also fairly concedes that Anil Bhadana, the co-accused of the petitioner has already been granted bail by the learned Court below on 4.12.2014.

After hearing learned counsel for the parties and taking into consideration the rival contentions, the present petition is allowed. The petitioner, Satpal, son of Man Singh, resident of village Nangla Bilothi, Police Station, Bharatpur (Rajasthan), at present House No. 99, Gali No. 2, Hanuman Nagar, Bharat Colony, Naharpur, Old Faridabad, District Faridabad (confined in District Jail, Faridabad), is ordered to be released on bail during pendency of the trial of the present case subject to his furnishing bail bond in the sum of Rs. 75,000/- with one surety of the like amount to the satisfaction of the learned Trial Court/Duty Magistrate, Faridabad.

January 8, 2015
Pkapoor

(NARESH KUMAR SANGHI)
JUDGE