

IN THE HIGH COURT OF PUNJAB AND HARYANA AT

CHANDIGARH

CRM-M-4476-2015

Date of Decision: February 19, 2015

Surender

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr. Munish Kumar Garg, Advocate,
for the petitioner.

Mr. Gurdas Singh, DAG, Haryana,
for the respondent.

NARESH KUMAR SANGHI, J. (Oral)

1. Prayer in this petition is for grant of regular bail to the petitioner, Surender, son of Sobha Ram, resident of Durga Colony, Rohtak Road, Tehsil and District Fatehabad, who has been booked for having committed the offences punishable under Sections 342, 365 and 395, IPC, and Section 25 of the Arms Act, in a case arising out of FIR No.101, dated 17.3.2014, registered at Police Station,

Bhuna, District Fatehabad.

2. Learned counsel contends that as per the allegations levelled by the prosecution three persons, namely, Kulwant, Jasmer and Praveen, were travelling in a BOLERO-Maxi vehicle, bearing registration No. HR-99-QS-Temp-6788, carrying buffaloes and the petitioner and his co-accused looted the said vehicle and Rs. 80,000/- from the above said three persons. He further contends that now those three persons have been examined and they have not identified the petitioner as one of the assailants. He further contends that the petitioner is behind the bars from 28.3.2014 and he is neither required nor involved in any other case. He also contends that the examination of the other prosecution witnesses would not improve the prosecution version.

3. Learned counsel for the State on instructions from ASI Jaiveer Singh of Police Station, Bhuna, District Fatehabad, has very fairly conceded that all the three material witnesses, who were present at the spot, have failed to support the prosecution version so far as the identity of the petitioner is concerned.

4. After hearing learned counsel for the parties and going through the material available on record, the present petition is allowed. The petitioner, Surender, son of Sobha Ram, resident of Durga Colony, Rohtak Road, Tehsil and District Fatehabad, is

ordered to be released on bail during the pendency of the trial of the present case, subject to his furnishing of bail bond in the sum of Rs. 75,000/- with one surety in the like amount, to the satisfaction of the learned Chief Judicial Magistrate/Duty Magistrate, Fatehabad.

February 19, 2015
Pkapoor

(NARESH KUMAR SANGHI)
JUDGE