

CRM-M-9190-2015

Date of decision: 27.03.2015

Suresh

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sourabh Goel, Advocate
for the petitioner.

Mr. Charanjit Singh Bakshi, Addl. A.G., Haryana
for the respondent-State.

Jaspal Singh, J.(Oral)

The instant petition has been preferred under Section 439 of Code of Criminal Procedure by Suresh, seeking bail in case FIR No.351 dated 01.05.2014, under Sections 392, 394 IPC and 24, 25(54), 59 Arms Act, registered at Police Station Sadar, Bhiwani, Haryana.

It is an undisputed fact that neither name of the petitioner figure in the FIR nor any other role has been ascribed to him. He has been nominated in this case as an accused in view of the disclosure statement suffered by his co-accused-Pawan who has stated that he along with Jagbir @ Kala, Sonu, Mandeep and Suresh snatched the vehicle bearing Registration No.HR-50A-0010 at pistol point. There is no evidence collected by the investigating agency against the petitioner. Moreover, challan has already been presented which was stated to be fixed for March 30, 2015. Petitioner was arrested in this case on 2nd December, 2014 and since then, he is cooling his heels behind the bars. The disposal of challan will take sufficient long time. There is no other case either pending or disposed of against the petitioner.

Taking into consideration all these aspects, this Court is of the considered view that case is made out to enlarge the petitioner on bail. Accordingly, petition is allowed and he is ordered to be released on bail at the satisfaction of the trial Court/Duty Magistrate, Bhiwani.

March 27, 2015
m. sharma

(JASPAL SINGH)
JUDGE