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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.**

**CRM-M-9342 of 2015
Date of decision : 23.04.2015**

Raju

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. R.D.YAdav, Advocate
for the petitioner.

Mr. R.S.Doon, AAG, Haryana.

DARSHAN SINGH,J(Oral)

This application has been filed for grant of the regular bail by petitioner Raj in case FIR No. 161 dated 25.04.2014, under Sections 379, 328, 411 read with Section 34 of Indian Penal Code, 1860, Police Station, Sadar Bahadurgarh, District Jhajjar.

As per the prosecution allegations, the co-accused by drugging the complainant Habib had taken away his truck and the articles loaded therein. The present petitioner is alleged to have received the stolen goods.

Learned counsel for the petitioner states that the applicant is in custody for the last more than 11 months. Even the charge has not been framed so far. He is in custody since long and conclusion of the trial will

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take time. The maximum punishment for the offence punishable under Section 411 Indian Penal Code is three years. So, the petitioner deserves the concession of bail.

On the other hand learned State counsel has opposed the prayer of learned counsel for the petitioner on the plea that huge stolen goods have been received by the present petitioner. He might be in collusion with the other accused.

This fact has not been disputed at bar that the present petitioner had not participated in the robbery. The only allegation against the present petitioner are that he had received the stolen goods. So, the substantive charge against the petitioner is for the offence punishable under Section 411 Indian Penal Code, which is punishable for a period of three years.

The petitioner is in custody for the last more than 11 months. This fact has not been disputed that even the charge has not been framed so far by the learned trial Court. So, certainly the conclusion of the trial will take long time. The further detention of the petitioner in the jail is not justified.

Thus, the present application is hereby allowed and the petitioner Raju is ordered to be released on bail on furnishing the personal/surety bonds to the satisfaction of the learned Chief Judicial Magistrate, Jhajjar.

23.04.2015

s.khan

**(DARSHAN SINGH)
JUDGE**