

Sr. No. 237

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-11477 of 2016 (O&M)
Date of Decision: 07.04.2016

Mubarik

...Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Saleem Ahmed, Advocate,
for the petitioner.

Mr. Deepak K. Grewal, DAG, Haryana.

TEJINDER SINGH DHINDSA. J (ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.96 dated 01.05.2015, under Sections 395, 397 of the Indian Penal Code and Section 25 of Arms Act, registered at Police Station Bawal, District Rewari.

Counsel for the parties have been heard at length.

FIR came to be registered on the statement of Jagdish who stated that he along with one Ramchander Goyal and his wife were going from Delhi to Jaipur on 01.05.2015 in an Innova vehicle and were intercepted by a Scorpio vehicle and from which six unknown assailants came and on the threat of a pistol looted three gold rings, two diamond bangles, one pair of gold ear tops, Rs.15,000/-cash, a VIP suitcase containing clothes etc. and Rs.500/- from the pocket of the complainant.

It has gone uncontroverted that the petitioner has been implicated in the present case on the basis of his own disclosure statement recorded during the course of investigation of another case i.e. FIR No.289 dated 10.05.2015 at Police Station City Sadar, Palwal.

As per prosecution version, two gold bangles and Rs.15,000/- were recovered from the present petitioner. It is further conceded that no test identification parade has been held.

Investigation in the case is complete and the challan stands presented.

Trial is stated to be at the very initial stage.

Petitioner has been in custody since 26.05.2015.

In view of the above and keeping in view the length of incarceration already suffered by the petitioner and without making any observations on merits, he is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Rewari.

Disposed of.

07.04.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**