

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

**C.R.M-M No.11632 of 2016
Date of decision : 27.07.2016**

Harkesh Petitioner

versus

State of Haryana Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

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

Mr. Sandeep Vashisht, DAG, Haryana.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.352 dated 18.06.2015 registered under Sections 395, 397 IPC and Sections 25, 54, 59 of the Arms Act at Police Station Hodal District Palwal.

Learned counsel for the petitioner states that the petitioner was arrested on 02.09.2015 though the occurrence had taken place on 18.06.2015. On the last date it was informed that the petitioner was arrested because the snatched phones were recovered from him and the matter was adjourned to check how the police have verified that the recovered phones

were in fact the looted phones.

Learned counsel for the petitioner has today points out that even if that argument is not pressed what has now transpired is that the complainant had appeared in testimony and states that he could not identify anybody.

Learned Deputy Advocate General, on instructions from ASI Virender Singh has accepted these facts.

Keeping in view the above facts and the period of incarceration already suffered by the petitioner, without going into the merits of the case, I deem it appropriate to release the petitioner on regular bail to the satisfaction of the trial Court/Duty Magistrate.

Ordered accordingly.

Petition stands allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

27.07.2016

pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No