

Sr. No. 240

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM No. M-12104 of 2016 (O&M)
Date of Decision: 21.04.2016**

Vinod Kumar @ Bagad

...Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. Shalender Mohan, 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.76 dated 01.04.2015, under Section 412 of Indian Penal Code, registered at Police Station Bawani Khera, District Bhiwani.

Counsel for the parties have been heard.

As per prosecution, secret information has been received that one Jatinder @ Batlu and Somvir @ Dagda were in possession of various parts of Hero Honda Motorcycle and which have been stolen and if raid is conducted these two persons can be apprehended.

Raiding party was stated to have been constituted and the two aforenoticed persons were captured and a number of parts of Hero Honda Motorcycle were recovered. As per prosecution version, upon interrogation the aforenoticed two persons disclosed that the

parts had come from one Anup Yadav, Bablu Yadav and Modi.

Present petitioner was arrested in this case on 09.07.2015.

As per prosecution version, it has transpired that the petitioner had unloaded the parts of the motorcycle at the 'Gher' of Somvir i.e. co-accused and for which he was paid a sum of Rs.10,000/-.

It has gone uncontroverted that main accused and names of whom noticed hereinabove have been granted benefit of bail. Learned State counsel would oppose the petition by stating that the petitioner is involved in a number of other FIRs. Suffice it to observe that pendency of other criminal proceedings would not be a ground to deny the petitioner for bail in the present petition/FIR.

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

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Bhiwani.

Disposed of.

21.04.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**