

Sr. No. 221

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

**CRM No. M-12633 of 2016 (O&M)
Date of Decision: 29.04.2016**

Harjeet Singh @ Jeetu

...Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. R.V.S.Chugh, Advocate,
for the petitioner.

Mr. Rajiv Doon, AAG, Haryana.

TEJINDER SINGH DHINDSA. J (ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.62 dated 13.07.2014, under Sections 395, 397, 384, 412, 201, 120-B of Indian Penal Code and Sections 25 (54) of Arms Act, registered at Police Station Mansa Devi Complex, District Panchkula.

Counsel for the parties have been heard.

Perusal of the FIR would reveal that the allegations are pertaining to a dacoity having been committed on 13.07.2014 at the shop of Rajat Jewellers situated at Mansa Devi Complex, Panchkula. The complainant alleged that five unknown persons had entered the shop and had decamped with gold, silver and diamond jewellery and the sixth person stated to be an accomplice was waiting outside in a

car. Accusations are also with regard to having inflicted injuries on the owner of the shop/complainant, namely, Aashi Khanna.

It has gone uncontroverted that after completion of investigation, initially challan was presented on 17.06.2015 in which nine persons were nominated as accused but the name of the present petitioner did not figure.

Learned State counsel states that the present petitioner has been implicated on the disclosure statement of co-accused i.e. Harwinder Singh. As per such disclosure statement, the present petitioner as also co-accused Harwinder Singh have been entrusted certain ornaments/jewellery to mold the same to a level of purity and the same was thereafter taken back by one Balbir Singh who had already thereafter nominated as an accused in a supplementary challan presented on 28.04.2016.

Be that as it may, it is not the allegation against the present petitioner that he was part of the gang that had committed the dacoity on the date of alleged occurrence i.e. 13.07.2014.

Present petitioner was arrested on 18.10.2015 and challan against him already stands presented.

Co-accused Sanjay Maratha @ Kaka and against whom there were similar allegations has been granted benefit of regular bail by this Court in the light of order dated 27.02.2016 in CRM No.M-5968 of 2016.

Without making any observations on merits, the petitioner 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,
Panchkula.

Disposed of.

29.04.2016

vandana

(TEJINDER SINGH DHINDSA)
JUDGE