

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

**CRM No.M-14401 of 2016 (O&M)
Date of decision : 11.05.2016.**

Pardeep

... Petitioner

Vs.

State of Haryana

... Respondent

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

Present: Mr. Rajbir Sehrawat, Advocate and
Mr. Sanjeev Kadian, Advocate for the petitioner.

Mr. A.S. Chaudhary, Additional Advocate General, Haryana.

...

TEJINDER SINGH DHINDSA, J.

Petitioner seeks benefit of regular bail pending trial in case FIR No.61 dated 24.02.2016, under Sections 148/188/346/307/149 IPC, registered at Police Station Murthal, District Sonapat.

Counsel for the parties have been heard.

FIR came to be registered at the instance of Sukhpreet Singh. Allegations pertain to an occurrence of the night of 22.02.2016. Complainant asserted that a mob of anti-social elements had burnt his vehicle i.e. a tanker bearing registration No.DL-1LR-3013. Complainant further asserted and furnished the names of Raj Kumar, Bijan Singh and Shakti Singh whose vehicles of different names were also burnt.

The present petitioner was arrested on 29.02.2016.

Learned State counsel upon instructions from ASI Satbir Singh would submit that the petitioner has been picked up on secret information. Investigation in the case having been completed, even the challan stand presented on 17.04.2016.

As per prosecution version, the only incriminating evidence against the petitioner is a self-disclosure statement of the petitioner himself

wherein he has stated that he was a part of an unruly mob that had resorted to burning of vehicles.

Evidentiary value of such disclosure statement would be an issue to be considered by the trial Court.

It has been conceded by learned State counsel that no test identification parade has been conducted in the present case. Justification in this regard has been given that the same was not conducted since the occurrence was during the late night hours i.e. at 03:00 A.M. on the intervening night of 22/23.02.2016.

Trial in the present case is at the very initial stage.

In the totality of circumstances and without making any observations on merits, petitioner is held entitled to the benefit of bail.

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

Disposed of.

11.05.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**