IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM No.M-16966 of 2016 (O&M)
Date of Decision: 20.05.2016

Sabir ... Petitioner

Versus

State of Haryana ... Respondent

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

Present:- Mr. O.P. Goyal, Senior Advocate with
Mr. Mukesh Verma, Advocate for the petitioner.

Mr. Deepak K. Grewal, DAG, Haryana.

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TEJINDER SINGH DHINDSA, J.

Petitioner seeks benefit of regular bail pending trial in case FIR No.335 dated 08.06.2015, under Sections 395/397 IPC and Section 25 of the Arms Act, registered at Police Station Sadar Palwal, District Palwal.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Sarfuddin. Allegations pertain to an occurrence that took place on 08.06.2015 and wherein the complainant while proceeding from Mathura to Delhi in a Wagon R car along with his wife and daughter were accosted by 8-10 people who had got down from a Verna car and under the threat of weapon, one gold set and gold bangles from the wife, two gold ear-rings from daughter, watch of the complainant, Rs.7500/- cash, two mobile phones as also the vehicle in question was taken away.

FIR has been lodged against unnamed assailants yet during the course of investigation, name of the petitioner surfaced and he was arrested on 01.07.2015.

Even though, the prayer made in the present petition is opposed

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by learned State counsel by contending that the petitioner is a habitual offender and is involved in three other cases, yet it has gone uncontroverted that the petitioner is on bail in all these three matters.

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

Learned State counsel informs that the charges are yet to be framed.

Without making any observations on merits, petitioner is held entitled to the benefit of bail. Such view is being taken in view of the length of incarceration already suffered by the petitioner.

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

Disposed of.

20.05.2016 **(TEJINDER SINGH DHINDSA)**
shubham **JUDGE**

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