

Sr. No.217

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No.M-18944 of 2016 (O&M)

Date of Decision: 03.06.2016

Parveen

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. J.S.Hooda, Advocate,
for the petitioner.

Mr. Vivek Saini, DAG, Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

Present petition has been filed under Section 439 Cr.P.C. seeking benefit of regular bail to the petitioner pending trial in case FIR No.374 dated 22.06.2015, under Sections 353/ 188/ 379/ 307/ 186/ 120B of Indian Penal Code, registered at Police Station Sadar Palwal, District Palwal.

Counsel for the parties have been heard.

As per prosecution version, secret information had been received that three dumper vehicles, one out of which was under the ownership of the present petitioner as also being driven by him is indulging in theft of sand from the prohibited area of river Yamuna.

Upon receiving secret information, *nakabandi* was done by constituting a police party. Precise allegation against the present petitioner is that at that point of time, he attempted to jack up the vehicle so as to unload the consignment of sand over the police party.

Petitioner has been in custody since 28.03.2016.

Challan qua the present petitioner has been presented on 19.05.2016.

On a specific query having been put, learned State counsel would concede that none of the police officials which formed part of the *nakabandi* party had suffered any injury.

Co-accused Jaiveer who was also alleged to be driving one of the three dumper vehicles and the allegations against him were that he had tried to run over the police party has been granted benefit of bail by this Court in the light of order dated 18.03.2016 passed in CRM No.M-37189 of 2015.

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 satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Palwal.

Disposed of.

03.06.2016

vandana

(TEJINDER SINGH DHINDSA)
JUDGE