

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-28043 of 2016

Date of decision : October 21, 2016

Kuldeep

....Petitioner

versus

State of Haryana

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. AK Goyal, Advocate, for the petitioner
Mr. Munish Sharma, AAG, Haryana, for the respondent

Fateh Deep Singh, J. (Oral)

The allegations against petitioner Kuldeep in this regular bail application under section 439 Cr.P.C. are that on the intervening night of 20/21.2.2016, he along with a mob had ransacked Jurasik Park situated on the main road Murthal.

The contentions of counsel for the petitioner are that the alleged recovery of LED TV has not been claimed by any one and thus even the very question of ownership and theft is debatable issue and nothing remained to be recovered from the petitioner and he is in custody since 29.2.2016 and the similarly placed co-accused has been allowed bail.

Keeping in view the substantive period of incarceration and the fact that the trial is not likely to be concluded in near future, in view of principle of parity, without adverting to the merits of the case, the instant

application is allowed. Bail to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Sonapat.

The present petition stands disposed off accordingly.

October 21, 2016
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(Fateh Deep Singh)
Judge

<i>Whether speaking/reasoned ?</i>	<i>Yes/No</i>
<i>Whether Reportable ?</i>	<i>Yes/No</i>