

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

**CRM-M-28365-2016
Date of Decision :03.12.2016**

Govind

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Ms. Sharmila Sharma, Advocate for the petitioner.

Mr. D.R.Singla, AAG, Haryana.

FATEH DEEP SINGH, J. (ORAL)

The allegations against the petitioner-Govind in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No. 92 dated 12.03.2016 registered at Police Station Murthal, District Sonipat under Sections 328, 379-B, 392, 34 IPC, are that the occurrence which is of 10.03.2016 that co-accused of the petitioner namely Vikas @ Bhola, Pawan and Sandeep had held up a vehicle carrying 640 bags of plastic dana weighing 25 kg each and have looted the same.

The contentions of the counsel for the petitioner are that the only semblance of evidence against the petitioner is the recovery of the alleged article which is subject matter of this criminal act by his co-accused and that the petitioner is in custody since 27.04.2016.

Though much of the arguments has sought to be put forth on behalf of the State opposing the bail petition.

Keeping in view that the only allegations against the petitioner are that the part articles subject matter of this crime has been recovered from him and this is the applicability of the offence under Sections 328, 379-B,

392 being a debatable issue.

In view thereof and keeping in view that the culpability, if any, shall be determined at the time of trial which is not likely to be concluded in near future and no useful purpose would be served by keeping the petitioner behind the bars, without adverting anything on the merits of the case, the present petition for grant of regular bail is allowed. Petitioner be admitted to bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Sonipat.

The petition stands disposed off.

(FATEH DEEP SINGH)
JUDGE

December 03, 2016

Sunil Devi

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No