

CRM No. M-30636 of 2016

DECIDED ON: SEPTEMBER 06, 2016

PARKASH

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ram Bilas Gupta, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Section 439 Cr.P.C., petitioner has sought regular bail in case FIR No. 382 dated 12.07.2016 under Sections 399 and 402 IPC registered at Police Station Kotwali, District Faridabad.

Briefly stated the case of prosecution is that on receipt of a secret information, petitioner along-with his co-accused namely Gurveer Singh, Mahesh, Tejpal and Sher Singh were apprehended by the police from an isolated place i.e. road between bus stand NH 2 to Nahar Singh Stadium, Faridabad where they were planning to commit dacoity in the show room of NH 1 market, Faridabad on 12.07.2016. At the time of arrest of the petitioner, a torch was recovered from his possession but he was not armed with any sort of

weapon at that time. However recovery of irons rods is alleged to have been effected by the prosecution from the co-accused namely Gurveer Singh and Tejpal, of the petitioner. Moreover, petitioner is suffering incarceration from the date of his arrest i.e 12.07.2016. Otherwise also, after the completion of investigation report under Section 173(2) has already been presented in the Court and disposal thereof, would take sufficient long time.

In the given circumstances, this court is of the considered view that no useful purpose would be served by detaining the petitioner behind the bars for an indefinite period.

Taking into consideration the above-said aspects but without expressing any opinion on the merits of the case, instant petition is allowed and petitioner is ordered to be released on bail at the satisfaction of learned trial Court/Duty Magistrate.

SEPTEMBER 06, 2016
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(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned Yes/No

Whether Reportable Yes/No