

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

(209)

CRM-M-30675-2016

Decided on: September 06, 2016.

Wasim Akram

.... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Shiv Charan Bhola, Advocate, for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

M.M.S. BEDI, J (ORAL)

The petitioner has been in custody w.e.f. 30.04.2015 in a case registered at the instance of SI Vinod Kumar alleging that on 15.01.2015, 4-5 unknown boys had robbed him of his Swift car at pistol point and also having snatched two mobiles, wallet containing cash of Rs.3,000/- and ATM card which was used to withdraw a sum of Rs.7,000/-. The complainant was allegedly forced to sit in their Scorpio car where he was assaulted and thrown at some isolated place.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR. He has been involved in the case on the basis of disclosure statement of his co-accused Badal Singh. He has already been in custody in two other cases when he was produced in the present case on production warrants.

With the assistance of learned State counsel and ASI Kundan Singh, I have considered the facts and circumstances of the case.

It is an admitted fact that no recovery has been effected from the petitioner, though he has been in custody w.e.f. 30.04.2015. The complainant has not been examined despite repeated opportunities having been granted to the prosecution.

In view of evasive approach of the complainant adopted till date, taking into consideration the period of detention suffered by the petitioner w.e.f. 30.04.2016 and the manner in which he has been connected with the case while in custody in another case, he can be granted the concession of bail.

The petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

(M.M.S. BEDI)
JUDGE

September 06, 2016
harsha

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No