

**Sr. No. 215
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM No. M- 37189 of 2015 (O&M)

Date of Decision: 18.03.2016

Jaiveer

...Petitioner

Versus

State of Haryana

...Respondent

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

Present:- Mr. Gaurav Gupta, Advocate,
for the petitioner.

Mr. Vivek Saini, DAG, Haryana.

TEJINDER SINGH DHINDSA. J (ORAL)

The 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 186/188/307/353/379/120-B of Indian Penal Code, registered at Police Station Sadar 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 being driven by the present petitioner are indulging in theft of sand from the prohibited area of River Yamuna. Upon receiving such secret information, Nakabandi was done by constituting a police party. Precise allegations are that when the dumper vehicle was signalled to stop, the present petitioner stated to be the driver of the vehicle allegedly tried to run over the police party.

Petitioner has been in custody since 22.06.2015.

Investigation in the case is already complete, challan has been presented and even charges have been framed.

On a specific query having been put, learned State counsel who is on instructions from ASI Sanjay Kumar, Police Station Sadar Palwal would concede that none of the police officials which formed part of the nakabandi party had suffered any injury.

Without making any observations on merits and keeping in view the length of incarceration already suffered by the petitioner, he 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.

18.03.2016

vandana

(TEJINDER SINGH DHINDSA)
JUDGE