

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

**CRM No. 411 of 2016 in/&
CRM M-38610 of 2015 (O&M)
Date of decision : 13.01.2016**

Babu Mansuri @ Babu Mansoori

....Petitioner

V/s

State of Haryana

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Kapil Sharma, Advocate for the applicant-petitioner.

Mr. Arun Luthra, AAG Haryana.

RAJAN GUPTA J.

CRM No. 411 of 2016

This is an application seeking correction in the head note of the petition as name of Police Station has been mentioned Bilaspur instead of Manesar.

For the reasons stated in the application, same is allowed. Necessary correction be carried out.

CRM M-38610 of 2015

This is a petition filed under Section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner vide FIR No. 54 dated 04.02.2015 under sections 395/412 IPC & section 25/54/59 of the Arms Act at Police Station Manesar district Gurgaon.

Learned counsel for the petitioner contends that only allegation against the petitioner is that he purchased the stolen property from the accused who committed the robbery. Petitioner

is in custody for the last ten months. Thus, he is entitled to the concession of bail.

Prayer has been opposed by learned State counsel on the ground that allegations in the FIR are serious.

I have heard learned counsel for the parties.

It appears that earlier petition i.e. *CRM M-30893 of 2015* preferred by petitioner was dismissed with liberty to file fresh one after some prosecution evidence is led. Admittedly, out of eighteen witnesses cited by the prosecution, eleven have been examined till now. According to prosecution, role of the petitioner is that he received a part of the stolen property from the accused who committed robbery. This court does not intend to express any opinion on the merits of the case. However, keeping in view incarceration of the petitioner and the circumstances, this court deems it fit to enlarge the petitioner on bail. Accordingly, petition is allowed and petitioner is ordered to be enlarged on bail to the satisfaction of trial court. This, however, will be subject to furnishing heavy surety.

January 13, 2016

Ajay

(RAJAN GUPTA)
JUDGE