

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

(1)	CRM-M No.39145 of 2015 (O&M)	
Manouj Kumar		 Petitioner
	<i>Versus</i>	
State of Haryana		 Respondent
(2)	CRM-M No.39273 of 2015 (O&M)	
Muni Lal		 Petitioner
	<i>Versus</i>	
State of Haryana		 Respondent
(3)	CRM-M No.40024 of 2015 (O&M)	
Vijay Soni		 Petitioner
	<i>Versus</i>	
State of Haryana		 Respondent
(4)	CRM-M No.40026 of 2015 (O&M)	
Raj Bahadur		 Petitioner
	<i>Versus</i>	
State of Haryana		 Respondent
(5)	CRM-M No.40219 of 2015 (O&M)	
Narender		 Petitioner
	<i>Versus</i>	
State of Haryana		 Respondent

(6) CRM-M No.40351 of 2015 (O&M)

Mahender

..... Petitioner

Versus

State of Haryana

..... Respondent

AND

(7) CRM-M No.2361 of 2016 (O&M)

Sandeep Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

Date of Decision: 13.05.2016

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Sarvjit Singh Khurana, Mr. Varun Gupta, Mr. P.K.Ganga,
Mr. Mukesh Yadav, Advocates and
Mr. Jasdev Singh, Advocate for Ms. Sushma Chopra, Advocate
for the petitioner(s).

Mr. Gaurav Dhir, Deputy Advocate General, Haryana
for the respondent/State assisted by H.C. Sanjay Kumar.

JASWANT SINGH, J. (Oral)

This common order shall dispose of 07 aforementioned petitions seeking regular bail on behalf of 07 petitioners/accused, namely, Manouj Kumar, Muni Lal, Vijay Soni, Raj Bahadur, Narender, Mahender and Sandeep Kumar in case bearing FIR No.147 dated 07.06.2015, under Sections 457, 380, 109, 201 of the Indian Penal Code, registered with Police Station Khol, District Rewari.

As per the case of prosecution, in the intervening night of 06-07.06.2015, ATM machine of Punjab National Bank was stolen by some

unknown persons. On 08.06.2015, one cutter and some paper-rolls of the ATM Machine recovered from the area of Village Pali. On 03.08.2015, on a secret information, petitioner/accused-Sandeep Kumar was apprehended and he disclosed his involvement in the alleged offence along with other co-accused Manouj Kumar (cousin of accused Sandeep Kumar), Vijay Soni, Narender @ Monu @ Solder, Raj @ Raj Bahadur @ Botu. Thereafter, accused Vijay Soni and Raj Bahadur were apprehended on 07.08.2015 and on their disclosure statements, it has surfaced that the said ATM Machine was shifted in a Verna Car of accused Vijay Soni and was kept at the tubewell of accused-Manoj Kumar at his Village Pathera. On the next day in the morning, the said ATM machine was thrown in the Canal. After some days, the said machine was picked out from the Canal and shifted to Village Ghiloth, District Alwar (Rajasthan) in the Pick-up vehicle of accused Shankar and from there, it was shifted to the house of accused Muni Lal at Satnali (Mohindergarh) where it stood cut/broken and Rs.1,58,100/- were taken out. The name of accused Mahender has surfaced on the disclosure statements of co-accused that his Bolero vehicle used to take ATM machine at Munni Lal home. Eighth accused-Shankar was nominated as an accused as his Pick-up vehicle stood used on rent at the rate of Rs.5000/- for shifting the ATM machine from the Canal to Village Ghiloth, District Alwar, Rajasthan after about 15-20 days of the occurrence.

In the light of the different role, the said co-accused/non-applicant-Shankar has been released on regular bail, vide order dated 19.10.2015 **(Annexure P-5).**

Learned State Counsel, assisted by H.C. Sanjay Kumar, submits that except accused Sandeep Kumar, all are involved in other criminal cases. He further submits that the evidence of 20 cited prosecution witnesses is yet to commence.

At this stage, learned Counsel for all the petitioners/accused pray for permission to withdraw the present petitions for regular bail in order to enable their clients to approach the trial Court for seeking bail in the light of the provisions of Sub Section 6 of Section 437 Cr.P.C. as the trial has not been concluded within 60 days by the learned Magistrate.

Learned State Counsel has no objection to such withdrawal to seek their remedy in accordance with law.

Dismissed as withdrawn with the aforesaid liberty.

May 13, 2016
Gagan

(JASWANT SINGH)
JUDGE