

**Sr. No. 229
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM No. M-4134 of 2016
Date of Decision: 04.03.2016**

Naresh

...Petitioner

State of Haryana

... Respondent

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

Present:- Mr. Sunil Saharan, Advocate,
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

TEJINDER SINGH DHINDSA. J (ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.877 dated 20.09.2014, under Sections 395 and 397 of Indian Penal Code, registered at Police Station Sadar Hisar, District Hisar.

Counsel for the parties have been heard.

FIR in question was registered on the complaint of Dilbag Singh son of Tek Ram relating to an occurrence on 19.09.2014. It was alleged that the complainant was proceeding from Bikaner to Hisar in his white colour Elentra car bearing registration No.HR-20-AB-2781 and during the late night hours, he was intercepted by a Safari vehicle and from which 5-6 young boys alighted who were having pistol in their hands and they snatched away his Elentra car. Further accusation is that in the car there was driving licence as also gun licence of the complainant and Rs.4 lacs was in the dikky of the

car.

As per prosecution version, the present petitioner was arrested on 05.12.2014 and he was implicated on the statement of co-accused Mandeep Singh. A recovery of 1 pistol and Rs.700 is stated to have been effected from him.

State counsel would oppose the present petition by stating that the petitioner is involved in three other FIRs.

In regard to such contention, counsel for the petitioner would submit that in one of the FIR, petitioner has already earned acquittal and in the other two FIRs, he is already on bail.

Court has been informed that investigation having been completed, challan was presented and even charges have been framed. Further more out of 31 prosecution witnesses having been cited, only 2 have been examined till date. The trial as such would take time to conclude.

Without making any observations on merit and keeping in view the length of incarceration already suffered by the petitioner which is in excess of one year and three months as of date, petition is allowed. Petitioner be enlarged on bail, subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Hisar.

Disposed of.

04.03.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**