

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

Date of decision: 27.02.2016

Ravi

.....Petitioner

v.

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Surinder Garg, Advocate for the petitioner

Mr.Gaurav Dhir, DAG Haryana assisted by
SI Raj Kumar.

Jaswant Singh, J.(Oral)

Prayer under Section 439 Cr.PC is for grant of regular bail to accused petitioner-Ravi in case FIR No.33 dated 8.2.2013 under Sections 380, 457, 407, 467, 471, 477-A, 419, 420, 120-B IPC, PS Urban Estate Rohtak, Distt.Rohtak.

As per allegations, petitioner-Ravi alongwith other co-accused had stolen the answer books from the Secrecy Branch of Maharishi Dayanand University, Rohtak and after manipulating the same had abandoned those answer sheets on the roof of the building.

It is submitted by the learned counsel for the petitioner that petitioner has not been named in the FIR; similarly situated co-accused- Manjit s/o Jogender, who was declared a P.O., has since been enlarged on regular bail and that the petitioner is in custody since 3.11.2015 and hence liable to be released on bail.

Upon notice, reply by way of affidavit of Dr.Ravinder, HPS, DSP Rohtak has been filed wherein the role attributed to the

petitioner is that stolen answer sheets were brought at his residence in his Accent car and thereafter those answer sheets were given to co-accused Manjit and Vikash to solve the same.

As regards parity with co-accused Manjit s/o Jogender Singh, it is stated that he was declared a P.O. on 21.01.2014 and was granted bail by Hon'ble the Supreme Court and he joined investigation on 25.2.2014. Thus, it is apparent that co-accused Manjit had surrendered before the trial court within one month of his being declared a P.O. On the other hand, it is not disputed that petitioner was declared a P.O. On 21.1.2014 and was arrested on 3.11.2015. Thus, he has delayed the trial for a period of 1 year and 10 months and as such cannot claim parity with co-accused Manjit.

As regards the custody period of the petitioner, in the facts noticed above, the same do not warrant grant of bail at this stage when he is responsible for delaying the trial for a period of 1 year and 10 months.

In view of the above, no ground for grant of regular bail is made out.

Dismissed.

27.02.2016
joshi

(Jaswant Singh)
Judge