

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

CRM No.M-43897 of 2016 (O&M)

Date of decision: December 15, 2016

Chhotu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Vijay Kumar Sheoran, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner-Chhotu has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.272 dated 17.07.2016, registered at Police Station Bhiwani City, District Bhiwani, under Sections 380/457 of Indian Penal Code.

Notice of motion has been issued in this case.

On asking of the Court, Mr. B.S.Virk, Deputy Advocate General, Haryana, accepts notice on behalf of the respondent-State and contested this petition. Police record has also been produced.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that as per prosecution version, Rs.60,000/- has been stolen from the shop of the complainant. No person has been named in the FIR including the present petitioner. The theft was stated to be committed by some unknown person. The present petitioner has

been nominated in this case on the basis of disclosure statement of Takshay and Rs.7500/- has been shown to be recovered from the present petitioner. The petitioner has been in custody since 17.08.2016. He is not required for any investigation or interrogation purposes as he is in judicial custody. Nothing is to be recovered from. Moreover, the offences alleged against the petitioner are triable by Magistrate of Ist Class. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing personal bonds in the sum of Rs.40,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

December 15, 2016

rajesh.k.khurana

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No