

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

CRM-M-44013-2016 (O&M)

Date of decision : 16.12.2016

Om Pal Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Rajesh Dhiman, Advocate,
for Mr. Jagjeet Beniwal, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana
assisted by ASI Dharambir.

JITENDRA CHAUHAN, J. (Oral)

Prayer in the instant petition filed under Section 439 of the Code of Criminal Procedure is for grant of regular bail in FIR No.17 dated 23.01.2016, registered under Sections 457, 380, 427 and 411 of the Indian Penal Code, at P.S. City Bhiwani.

It is contended that the FIR was registered against unknown persons. The petitioner has been implicated in the instant case on the basis of disclosure statement of co-accused Shokin @ Sonu and Ram Avtar @ Dholia. The petitioner has been in custody since 18.07.2016.

On the other hand, learned State counsel submits that the tractor-trolley used in the crime belongs to the petitioner. An amount of Rupees one lac and twenty five thousand was recovered from the petitioner. Out of nine prosecution witnesses, three have already been examined.

Heard.

This is the second bail petition moved by the petitioner. The first bail petition bearing No.CRM-M-37066-2016, was dismissed as withdrawn vide order dated 24.10.2016. Learned counsel appearing on behalf of the petitioner has not been able to show any change of circumstances in favour of the petitioner in the interregnum. Even otherwise, serious allegations have been levelled against the petitioner. He is allegedly the owner of the tractor-trolley used for removing the ATM machine. An amount of Rupees One lakh and twenty five thousand stands recovered from the petitioner. The trial is in progress. Therefore, this Court does not find any ground for grant of bail at this stage.

Dismissed.

However, nothing noticed hereinabove shall be construed as an expression of opinion of this Court, on the merits of the case.

16.12.2016

atulsethi

**(JITENDRA CHAUHAN)
JUDGE**

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No