

**Sr. No. 223
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM No. M- 4965 of 2016 (O&M)

Date of Decision: 26.02.2016

Surender @ Sonu

...Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. Rahul Deswal, Advocate,
for the petitioner.

Mr. Vivek Saini, DAG, Haryana.

TEJINDER SINGH DHINDSA. J (ORAL)

This order shall dispose of the present petition filed under Section 439 Cr.P.C. seeking benefit of regular bail to the petitioner pending trial in case FIR No.168 dated 17.09.2012, under Sections 395, 397 of Indian Penal Code and Sections 25, 54, 59 of Arms Act, registered at Police Station, Lakhan Majra, District Rohtak.

FIR came to be registered on the statement of Sat Parkash Son of Mangal Singh. Occurrence is stated to be of 17.09.2012 when the complainant along with his partner Devinder Singh having collected money from different parties at Delhi and Bahadurgarh were returning back to Jind and they were intercepted by a white coloured Maruti Car and from where five persons are alleged to have alighted who gave injuries to the complainant as also his partner Devinder Singh and took away a sum of Rs. 61 lacs.

Petitioner has been in custody since 24.01.2013.

It has gone uncontroverted that the robbed amount has been recovered from co-accused Jai Deep and Ved Parkash. Co-accused Ravinder has been granted benefit of bail by this Court in the light of order dated 13.01.2014 in CRM No. M-32834 of 2013.

Learned State counsel on instructions from ASI Krishan Lal, Police Station Lakhan Majra, District Rohtak would apprise the Court that in the trial that has ensued, out of 46 prosecution witnesses cited, 27 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 3 years as of date, he is held entitled to the benefit of bail. Petition is allowed. Petitioner be enlarged on bail subject to the satisfaction of the trial Court, Rohtak.

Disposed of.

26.02.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**