

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-8812 of 2016 (O&M)

Date of Decision: 26.04.2016

Jaideep

--Petitioner

Versus

State of Haryana

--Respondent

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

Present:- Mr. M.K. Garg, Advocate for the petitioner.

Mr. Deepak K. Grewal, D.A.G., Haryana.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.168 dated 17.9.2012 under sections 395, 397 I.P.C and sections 25, 25(54), 59 of Arms Act, registered at Police Station, Lakhna Majra, District Rohtak.

Learned counsel for the parties have been heard.

F.I.R came to be registered on the statement of Sat Parkash. Occurrence is stated to be of 17.9.2012 when the complainant along with his partner Devender Kumar having collected money from different parties at Delhi and Bahadurgarh were returning back to Jind. Allegations are that the complainant and his partner were intercepted by a white colored Maruti car and from where five unknown persons are alleged to have alighted and who gave injuries to the complainant as also his partner Devender Kumar and took a sum of Rs.61 lacs.

Petitioner has been in custody since 18.9.2012.

As per prosecution version, a sum of Rs.52 lacs approximately has been recovered from the present petitioner.

Learned State counsel on instructions from ASI Surender Singh would inform the Court that in the trial that has ensued, out of 46 prosecution witnesses cited only 27 have been examined till date.

Material witness i.e. complainant himself has already been examined before the Trial Court.

Without making any observations on merits and keeping in view the length of incarceration already suffered by the petitioner i.e. 3 years and seven months approximately, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Rohtak.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

26.04.2016
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