

*IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.*

TAPINDER SINGH MANN
2016 M.J. 39

Cr. Misc. M 9201 of 2016

Date of decision: 21.3.2016

Mithlesh Kumar Paswan

Petitioner

VS.

State of Haryana

Respondent

Present: Mr. Vimal Kumar Gupta, Advocate.
Mr. GS Salwara, DAG, Haryana

M.M.S.BEDI,J.

The petitioner has been in custody since 30.12.2015 on the basis of the allegation that on a trap having been laid, the petitioner along with others was found armed with various weapons like sticks and iron rods etc. with an intention to rob passersby.

With the assistance of learned State counsel and SI Satish Kumar, I have gone through the police file. It appears that merely on the basis of recovery of iron rod from the petitioner, the prosecution agency is presuming that the secret information received regarding chances of robbery of the passersby stands substantiated. It will certainly be a debatable issue whether merely on the basis of recovery of iron rod and the nature of the evidence collected, the petitioner could be said to have been involved in an attempt to commit dacoity/ robbery. Challan has already been presented.

In above circumstances, the petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/ surety bonds to the satisfaction of the trial court /Duty Magistrate.

March 21 ,2016
TSM

(M.M.S.BEDI)
JUDGE