

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

236

CRM-M-946-2016
Date of decision: 15.01.2016

Arjun

... *Petitioner*

Vs.

State of Haryana

... *Respondent*

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

Present: Mr. Saleem Ahmed, Advocate
for the petitioner.

Mr. Rajiv Doon, AAG, Haryana.

...

TEJINDER SINGH DHINDSA, J.

Petitioner seeks benefit of regular bail pending trial in case FIR No.309 dated 28.07.2015 under Sections 395, 397, 201 IPC and 25 of Arms Act and 3/181 of MV Act, registered at Police Station Sector 31, District Faridabad.

The prosecution version is that one Pankaj Kumar Mishra was assaulted on 25.07.2015 when he was travelling in a three wheeler. Version of the complainant is that there were two persons sitting on front side and another was sitting on the back side. Due to some fault that occurred in the three wheeler and taking advantage of the situation the petitioner was assaulted and a sum of Rs.39,000/- and one mobile phone was taken away from him.

It is a case where the complainant has not named any assailant. After two months of the incident, the police has picked up four persons including the present petitioner. The only incriminating material pointed out by the learned State counsel is the disclosure statement of the

petitioner himself. Recovery of Rs.1400/- has been shown against the present petitioner.

Investigation in the case having been completed, challan has been presented. Charges have been framed on 03.12.2015. This Court has been apprised that out of 17 prosecution witnesses cited, none have been examined till date. The trial is still at the very initial stage and would take time to conclude. It is conceded that the petitioner is not involved in any other criminal proceedings.

Without making any observation on merits, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Faridabad.

Disposed of.

15.01.2016

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(TEJINDER SINGH DHINDSA)
JUDGE