

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

CRM-M No.11149 of 2017
Date of decision: 6th April, 2017

Romi Khan

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Chanderhas Yadav, Advocate
for the petitioner.

Mr. Munish Sharma, Asstt. Advocate General, Haryana
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Romi Khan in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.0185 dated 02.03.2017 registered at Police Station Sadar Palwal under Sections 408/379/381/120-B/34 IPC, are that his wife happens to be owner of a Swift car bearing registration No.DL-2C-AP-3253 and that 28 plates and 52 film Polyester rolls belonging to the complainant which were destined to be delivered at a particular place, instead of being delivered were being tried to be loaded upon another vehicle bearing registration No.HR38S-3463 leading to their apprehension and arrest.

Contentions of the learned counsel for the petitioner are that none of the offences under Sections 408/379/120-B IPC could be made out against the petitioner and that he is in custody since 03.03.2017.

Learned State counsel has sought to stoutly oppose grant of bail to the petitioner, however the question as to the applicability of these offences certainly is a debatable issue which can only be resolved by adducing evidence before the trial Court.

In the light of submissions made by learned counsel for the petitioner and the fact that culpability if any, shall be determined at the time of trial which will take a long time to conclude, this Court is of the opinion that further detention of the petitioner in the present case is unwarranted. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Palwal.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

April 6, 2017

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No