

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

CRM-M-11310-2017 (O&M)
Date of decision: 19.04.2017

NADIM

...Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present : Mr. Sarfraj Hussain, Advocate
for the petitioner (s).

Mr. Arun Kumar, AAG, Haryana
assisted on ASI Krishan Kumar.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No.1031 dated 10.08.2016, registered under Section 379-B IPC, at Police Station Panipat City, Distt. Panipat.

The learned counsel for the petitioner contends that the petitioner has been falsely implicated on the basis of disclosure statement of co-accused, Keshav, who now stands convicted vide judgment dated 06.02.2017. The petitioner is not involved in other FIR except the similar FIR No.1033 registered on the same day. He is in custody since 03.12.2016. No recovery has been effected from the petitioner.

On the other hand, the learned State counsel vehemently

opposes the present petition, however, he fairly admits that the petitioner is not involved in any other FIR except the FIR No.1033 which was registered on the same day.

Heard.

Considering the above and the facts that the petitioner is not involved in any other FIR except the FIR, which was lodged on the same day; he is in custody since 03.12.2016; no recovery has been effected from the petitioner, no purpose would be served in keeping the petitioner behind the bars.

Accordingly, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

19.04.2017

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No