

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-13033 of 2017 (O&M)
Date of Decision: 25.04.2017

Sahil

--Petitioner

Versus

State of Haryana

--Respondent

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

Present:- Mr. K.B. Raheja, Advocate for the petitioner.

Mr. C.S. Bakshi, Addl. 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.874 dated 24.11.2016 under sections 395, 420, 467, 468, 471 I.P.C and sections 25, 54, 59 of Arms Act, registered at Police Station, City Sirsa, District Sirsa.

Learned counsel for the parties have been heard.

FIR came to be registered on the statement of Ashwani Rathi. Allegations are that on 23.11.2016 at about 10 P.M while the complainant along with his wife and daughter-in-law was present in the house, 3 young unidentified men entered the house armed with pistols. Under the threat of fire arms Rs.4 lacs in cash, gold ornaments carrying worth of Rs.4 lacs approximately as also mobile phones and other sundry articles were stolen.

It is the case of the prosecution itself that the present petitioner was not amongst the 3 men who had entered the house and committed the dacoity. The role attributed to the present petitioner is of having conducted a recce of the spot and place of occurrence as also keeping a watch while the offence was being committed.

Petitioner is sought to be roped in with the aid of section 120-B I.P.C.

Learned State counsel would concede that the petitioner otherwise has clean antecedents and is not involved in any other criminal proceedings.

Petitioner has been in custody since 30.11.2016.

Investigation in the case is complete, challan stands presented but the charges are yet to be framed. Trial, as such, would take time to conclude.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of Trial Court/Duty Magistrate, Sirsa.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

25.04.2017
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Whether speaking/reasoned: Yes
Whether Reportable: No