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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 13151 of 2017
Date of Decision: 25.04.2017

Sonu

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sandeep Gahlawat, Advocate,
for the petitioner.

Mr. Pradeep Prakash Chahar, D.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No. 1082 dated 24.11.2016, under Section 379-A I.P.C. registered at Police Station City Jind, District Jind.

The petitioner is accused of the offence on the basis of his disclosure statement dated 03.12.2016, made in FIR No. 468 dated 02.12.2016, under Sections 392/34 I.P.C. The petitioner was arrested in the present case on 27.12.2016, wherein his disclosure statement was recorded, in respect of his involvement in the case. Pursuant to the disclosure statement, a

mobile with I.M.E.I. Nos. 351819070285778/01 and 351820070285776/01 was recovered. According to the disclosure statement, A.T.M. Card, Aadhar Card and P.A.N. Card were allegedly destroyed by the petitioner.

Learned counsel for the petitioner contended that in the FIR, only mobile No. 09896822921, make Samsung A-3, was pleaded without I.M.E.I. number.

In order to connect the complicity of the petitioner with that of the mobile having the aforesaid I.M.E.I. numbers, the prosecution has to prove that the mobile, so recovered from the petitioner, was the same with aforesaid I.M.E.I. numbers.

Learned State counsel on instructions from A.S.I. Dilbagh Singh submitted that the prosecution has not collected any such receipt from the complainant, showing that he had owned the mobile with aforesaid I.M.E.I. numbers.

At this juncture, no such final opinion can be given in the context of connectivity of the mobile with that of the I.M.E.I. numbers.

The petitioner was also involved in two other cases, bearing FIR Nos. 531 and 569. In FIR No. 531, he has been granted bail and in FIR No. 569, he has been acquitted.

At this juncture, without adverting to merits of the case, it would be just and appropriate to enlarge the petitioner

on regular bail.

In view of above, the petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/ surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

April 25, 2017
Apurva

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No