

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

CRM-M-20488 of 2017(O&M)

Date of Decision: 19.06.2017

Ankit

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: - Mr. Dishant D. Tuteja, Advocate for the petitioner.

Mr. Ashish Yadav, Addl. A.G., Haryana.

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HARINDER SINGH SIDHU, J.

This is a petition seeking regular bail to the petitioner in a case FIR No.01 dated 03.01.2017, under Sections 328 and 379 IPC registered at P.S. Panipat, District GRP Ambala Cantt.

The allegations against the petitioner are that at Railway Station, Panipat, he along with his co-accused namely Arun made the complainant-Anil Kumar to drink intoxicated cold drink because of which he lost his consciousness. Thereafter the petitioner and his co-accused took away two mobile phones and Rs.6,000/- from the complainant.

Learned counsel for the petitioner states that the story of the complainant is highly improbable. The alleged occurrence is dated 30.12.2016. Having lost consciousness on 30.12.2016, the complainant is stated to have regained consciousness on 03.01.2017 and the FIR was registered on that date. It is inexplicable as to why during the interregnum period of four days, the complainant was not taken to any hospital for treatment. He further states that the petitioner is in custody since 04.01.2017. The wife of the petitioner is at an advanced stage of pregnancy and there is no male member to look after her.

Learned counsel for the State on the other hand states that the recovery has been effected from the petitioner and he has been identified by the complainant.

Taking into consideration the fact that the petitioner is in custody since 04.01.2017 and other circumstances, the petition is allowed. The petitioner is directed to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned CJM/Duty Magistrate, Panipat.

June 19, 2017

Atul

**(HARINDER SINGH SIDHU)
JUDGE**

Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No