

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

CRM No.M-28471 of 2017 (O&M)

Date of Decision: August 10, 2017

Rahul

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.B.S.Tewatia, Advocate
for the petitioner.

Mr.B.S.Virk, Deputy Advocate General, Haryana
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.619 dated 16.09.2016 under Sections 379-A, 341 IPC and Section 25 of the Arms Act (Section 420 IPC added later on), registered at Police Station Sadar Palwal, District Palwal.

Notice of motion was issued. Learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

As per the FIR, three persons came on Splendor motorcycle and stopped their motorcycle in front of complainant's motorcycle and by showing country made pistol, took away the motorcycle of the complainant.

Learned counsel for the petitioner argued that only complainant was the eye witness and he has turned hostile and has not supported the prosecution version. Learned State counsel admitted the fact that complainant has not supported the prosecution version before the trial Court.

The petitioner is in custody since 07.10.2016. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till disposal of the case.

Keeping in view the facts and circumstances of the present case, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

August 10, 2017
parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No