

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

CRM-M No.34844 of 2017

Date of Decision: September 22, 2017

Ankit

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

Present: Ms.Deepa Jain, Advocate,
for the petitioner.

Mr.Anuj Sharma, AAG, Haryana,
for the State.

AMIT RAWAL, J. (Oral)

Prayer in the present petition is for grant of regular bail.

The petitioner has been involved in FIR No.172 dated 6.3.2017 registered under Sections 392, 395, 397, 452 IPC and 25/54/59 of the Arms Act at Police Station, Sarai, Khawaja, Faridabad. As per the allegations contained in the FIR (Annexure P-1), complainant Radha daughter of Jai Narayan Singh, resident of H.No.618, Gali No.4, Shiv Colony Palla, Faridabad along with her mother were at home when four young persons came, showed a pistol, tied them and took away two golden ear rings of her mother, one golden ear ring from complainant, one Mangal Suttar, two rings and one pair of silver ankle. Even the mobiles were also taken away.

Ms.Deepa Jain, learned counsel for the petitioner submits that the name of the petitioner does not figure in the aforementioned FIR. He has been arrested on account of the disclosure statement made by the co-accused, which is not admissible in evidence. The challan has been

presented and even two prosecution witnesses have been examined. The vehicle allegedly shown in the CCTV footage though belongs to the father of the petitioner, but was not driven by him.

Mr. Anuj Sharma, learned AAG, Haryana, on instructions from ASI Anil Kumar, submits that the complainant in the FIR has been examined, who has identified the petitioner of having involvement.

I have heard the learned counsel for the parties and appraised the paper book.

I would be refraining myself from commenting any further on the merits of the case as it may not affect the defence of the petitioner in the pending trial. The petitioner has been arrested on the basis of the disclosure statement. Be that as it may, it would be expedient for the fitness of things in directing the trial Court and the prosecution to expedite the trial as early as possible.

Petition is dismissed with the aforementioned directions.

September 22, 2017
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable:

Yes/No