

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-36741 of 2017
Date of Decision: 27.11.2017

Devender @ Vikky @ Vicky

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Arun Kumar Singal, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.170 dated 02.03.2017 registered for the offence punishable under Section 379-B read with Section 34 of Indian Penal Code (for short, "IPC") at Police Station Model Town Panipat, District Panipat.

Heard.

As per case of prosecution, some persons entered the factory premises of M/s Vijay Lakshmi Textiles near Balaji temple Panipat on the intervening night of 01/02.03.2017. They locked the watchman in a room and then removed window of office and took away 800-1000 kgs. of kashmira cloth lying in the room and also some documents, files, DVR of camera, LED and a safe.

Learned State counsel submits that the petitioner was arrested in this case on 04.04.2017 and from his possession recovery of ₹60,000/- and one *rumba*, a weapon used to break the window, was effected.

Learned counsel for the petitioner submits that the petitioner is not involved in the incident and has been roped in on the basis of some secret information. Recovery of ₹60,000/- from his possession cannot be connected with the incident.

The police after completion of investigation has presented the challan in Court.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Devender @ Vikky @ Vicky is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

November 27, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No