

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

214

**CRM-M-38608-2017
DATE OF DECISION:20.12.2017**

SAGAR @ JOLLY

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. R.S.Mamli, Advocate
for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 337, dated 18.10.2016, under Sections 398, 401 IPC, registered at Police Station Barwala, District Hisar.

Learned counsel for the petitioner contends that the allegations against the petitioner are that he along with other accused was preparing to commit robbery when he was apprehended by the police. He also states that a .315 bore country made pistol and a live cartridge was recovered from him. Learned counsel further states that the petitioner is 24 years of age and there is no allegation that the petitioner had actually committed robbery. He is in custody for over a year since his arrest on 18.10.2016.

Learned State counsel, upon instructions from HC Jaideep, states that although the investigation has been completed and the challan has been presented but only 03 out of 09

prosecution witnesses have been examined. Learned State counsel further states that the petitioner is involved in 07 other cases.

Learned counsel for the petitioner contends that the other cases are of similar nature and the petitioner had been falsely implicated. He has been acquitted in 02 of them while he is on bail in other cases.

Heard.

In view of the submissions of learned counsel for the petitioner especially when the robbery has not actually been committed, the petitioner is in custody for over a year and conclusion of the trial is likely to take some time, I deem it a fit case to grant concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner, namely, Sagar @ Jolly is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate.

20.12.2017*SwarnjitS***(ANUPINDER SINGH GREWAL)
JUDGE**

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