

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

**Criminal Misc. No. M-39863 of 2017
Date of Decision:-31.10.2017**

Vikas alias Goldy

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present:- Dr. Deipa Singh, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

FATEH DEEP SINGH J.(Oral)

The allegations against the petitioner Vikas alias Goldy in this regular bail application under Section 439 Cr.P.C. in case FIR No.109 dated 17.7.2017, under Sections 186, 332, 353, 341, 379 and 307 IPC, registered at Police Station Khizrabad, District Yamuna Nagar, are that on 17.7.2017 when the Forest Department's officials had made a barcade/Naka after receiving secret information that certain persons after committing theft of forest goods are going to transport the same in a vehicle towards Mujafat turn and when they tried to stop the petitioners hit their vehicle to the motor-cycle being driven by the officials of the Forest Department, resulting into registration of the present case and arrest of the petitioner.

The contentions of learned counsel for the petitioner are that no offence under Section 307 IPC is made out much less under Section 379 IPC.

Though on behalf of State the bail application has been opposed but the State counsel fairly conceded that there are allegations of only simple injuries and that there is nothing documentary showing that any theft has been committed.

Appreciating the submissions prima facie applicability of Sections 307 and 379 IPC is being a debatable issue and other offences are not heinous in nature and the fact that the trial will take a long time to conclude, this Court is of the opinion that further detention of the petitioner in the present case is unwarranted. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Yamuna Nagar at Jagadhri.

The petition stands disposed off accordingly.

October 31, 2017
Vijay Asija

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No