

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

**Criminal Misc. No. M-41768 of 2017
Date of Decision:-10.11.2017**

Krishan

...Petitioner

Versus

State of Haryana

...Respondent

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

Present:- Ms. Deepshikha Chauhan, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

FATEH DEEP SINGH J.(Oral)

The allegations against the petitioner Krishan in this regular bail application filed under Section 439 Cr.P.C. in case FIR No.426 dated 08.8.2017, under Sections 399 and 402 IPC and Section 25 of the Arms Act, Police Station Sadar, Bahadurgarh, District Jhajjar, are that on 08.8.2017 on the basis of secret information the present case has been got registered, as per which 5 boys namely Akash, Umesh, Krishan (petitioner), Takkar Pahalwan and Parmod @ Binda were sitting altogether at Jagradpur Chowk and duly preparing the plan to commit robbery and when the police moved, the petitioner was apprehended on the spot and from the possession of petitioner a Swift car was recovered.

The contentions of learned counsel for the petitioner are that petitioner is behind the bars since 8.8.2017 and that it is still to be adjudicated as to whether the car in question is subject matter of theft or not and the trial is not likely to be concluded in near future.

Learned State counsel has sought to oppose the grant of bail to the petitioner on the ground of heinousness of offence and seriousness of allegations.

Appreciating the submissions and keeping in view that the petitioner is behind the bars for the last more than three months, culpability, if any, is to be determined at the time of trial and the fact that the trial is not likely to be concluded in near future, without adverting to the merits of the case, the instant application is allowed. Bail to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Jhajjar.

The petition stands disposed off accordingly.

November 10, 2017
Vijay Asija

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No