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

**CRM-M No.45199 of 2016  
Date of Decision: 03.02.2017**

**PARMOD**

**.....Petitioner**

**Vs**

**STATE OF HARYANA**

**.....Respondent**

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present:Mr. Atul Yadav, Advocate  
for the petitioner.

Mr. Pradeep Prakash Chahar, D.A.G., Haryana.

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**RAJ MOHAN SINGH, J.(Oral)**

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.394 dated 07.07.2016, registered under Sections 395/397 379-B IPC and under Sections 25/54/59 Arms Act at Police Station Palam Vihar, Gurgaon.

FIR was registered at the instance of one Surinder Kumar with the allegations that his office was situated in front of Maruti Loading Gate No.2. He was informed on 07.07.2016 that some persons have taken away the chest of his office while breaking the glasses. On being checked, it was found that the

cashier had put Rs.5,42,000/- in chest in the night in order to pay advance payments to the drivers of the Company. Three-four persons were involved in taking away the chest along with cash while breaking the glass of the upper office. Some signed cheques were also lying in the chest. Two boys, who were sleeping, were locked in the bathroom at the gun point while taking away the chest. Those two boys namely Suresh Kumar and Krishana, informed the complainant after coming out of the bathroom.

Learned counsel for the petitioner submitted that there was no test identification parade conducted by the prosecution. Witnesses namely Surinder Kumar, Suresh Kumar and Krishana have not deposed against the petitioner in any manner. Petitioner is in custody since 08.07.2016.

Learned State counsel on instructions from ASI Onkar Singh admitted the aforesaid facts.

The witnesses namely Suresh Kumar, Surender Kumar and Krishana have turned hostile and were cross-examined also.

At this stage, without adverting to the merits of the case, I am of the view that petitioners who is in custody since 08.07.2016 can be enlarged on bail.

In view of above, petition is allowed. Petitioner is

ordered to be enlarged on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

February 03, 2017.

*Atik*

Whether speaking/reasoned

Whether reportable

**(RAJ MOHAN SINGH)**  
**JUDGE**

Yes/No

Yes/No