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

CRM-M No.46631 of 2016

Date of Decision: 18.01.2017

MANISH @ GOLU

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sajjan Singh Malik, Advocate
for the petitioner.

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

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.529 dated 08.10.2015, registered under Sections 392, 397, 420, 467, 468, 471 IPC and under Section 25 of the Arms Act at Police Station Kundli, District Sonapat.

The FIR was registered on the complaint of Ram Singh, who alleged that on 07.10.2015, he went to Delhi. On his way back to home at about 9.00 p.m., when he stopped the vehicle with keys inside for the purpose of urinating, two boys came and took away the vehicle.

Petitioner was arrested on the basis of disclosure statement of co-accused Manish @ Tinku and thereafter Police proceeded to recover the vehicle in question. Co-accused Manish @ Tinku has already been granted bail by this Court in CRM-M No.22063 of 2016 on 10.08.2016.

After the aforesaid order, complainant appeared in the

trial Court as PW-6 and has not supported the case of the prosecution inasmuch as he even did not identify the petitioner. Complainant was declared hostile and was cross-examined.

Learned counsel for the petitioner stated that even in his cross-examination, nothing incriminating could be extracted by the prosecution.

Learned State counsel on instructions from SI Devi Singh stated that there is one more case against the petitioner for the offence under Section 379 IPC in which he is on bail.

At this stage, without commenting upon veracity of allegations, I am of the view that petitioner, who is in custody since 24.10.2015 can be enlarged on bail.

In view of above, petition is allowed. Petitioner is ordered to be enlarged on bail, subject to 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.

January 18, 2017.

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No