

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

CRM-M-8598 of 2017

Date of Decision: March 17, 2017

Vishnu Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Rao Ajender Singh, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

FATEH DEEP SINGH, J.

The allegations against the petitioner Vishnu Kumar in this regular bail application under Section 439 Cr.P.C are that on 16.02.2017 his co-accused Sonu and Ramesh, who are private persons engaged in the CSD Army were found to have handed over to the petitioner certain cosmetic items and the petitioner was arrested at the spot on the same very day.

The contentions of the learned counsel for the petitioner that the petitioner is neither a worker in the CSD canteen nor has any role and that there is not even an iota of evidence to link the petitioner with the commission of offence.

The grant of bail to the petitioner is vehemently opposed by learned State counsel on the grounds that all the accused have

hatched a criminal conspiracy for pilfering the CSD items and on forged smart I-card have taken the articles.

Appreciating the submissions, it is the own admission of the State that there is not even an iota of evidence to show that the petitioner had misrepresented and presented false and fabricated smart I-Card and mere recovery of few cosmetic items from his possession and there being no direct evidence to connect him with the commission of offence with principal accused, who are employees of the CSD canteen and the fact that the petitioner is behind the bars from almost one month, the present petition for grant of regular bail is allowed. Petitioner be admitted to bail to the satisfaction of the trial Court.

(FATEH DEEP SINGH)
JUDGE

Match 17, 2017
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No