

CRM-M-12591-2018

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

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Date of Decision:09.07.2018

Deepak

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Jagdeep Singh Rana, Advocate,
for the petitioner.

Mr. Vikas Chopra, DAG, Haryana.

INDERJIT SINGH, J.

Petitioner-Deepak has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.197 dated 03.04.2017, registered at Police Station Badshahpur, Gurugram, under Sections 392, 397, 459 and 34 of the Indian Penal Code and Section 25 of the Arms Act, 1959.

Notice of motion was issued. Learned State counsel has appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that as per the allegations, the present petitioner alongwith co-accused looted ₹2 lakhs from SBI, Eco

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Counter at gunpoint. They were apprehended by the mob and gave beatings and then were handed over to the police. However, recovery of ₹2 lakhs could not be effected.

Learned counsel for the petitioner stated that two witnesses have already turned hostile and, therefore, he argued that the petitioner may be released on bail.

Learned State counsel has brought into notice of this Court that still two eye-witnesses are to be examined.

Keeping in view the nature and gravity of the offence and in view of the facts that two eye-witnesses are still to be examined and there is every chance of tampering with the evidence, if the petitioner is released on bail, I do not find it a fit case where the petitioner is entitled to the benefit of regular bail at this stage.

Therefore, finding no merit in the present petition, the same is dismissed.

09.07.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No