

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

**Criminal Misc. No. M-23306 of 2018
Date of decision: 01.06.2018**

Dheeraj @ Sahil

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Sarfraj Hussain, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana
for the respondent -State.

Daya Chaudhary, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. on behalf of petitioner-Dheeraj @ Sahil for grant of regular bail in case FIR No.122 dated 29.01.2018 registered under Section 379-B of Indian Penal Code at Police Station Panipat City, District Panipat.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case whereas there was no independent witness to the alleged incident. Even the petitioner was not named in the FIR. Learned counsel further submits that as per allegations levelled in the FIR, the occurrence took place at 1:15-20 AM in the midnight of 29.01.2018 whereas the FIR was registered on 12:29 PM. Only on the basis of alleged recovery of ₹500/-, the petitioner has been implicated in the case whereas there was no independent witness to the alleged recovery. Learned counsel also submits that the challan has been presented in the Court and

the trial may take long time to conclude. The petitioner is in custody since 07.02.2018.

Learned State counsel has not disputed the amount of recovery as well as the fact that no independent witness to the alleged recovery was there but opposes grant of bail to the petitioner only on the ground that the recovery has been affected.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

Keeping in view the submissions made by learned counsel for the petitioner and the fact that the petitioner is in custody since 07.02.2018; the trial may take some time to conclude and no purpose would be served by keeping the petitioner in custody, the present petition is allowed. The petitioner (Dheeraj @ Sahil) is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

01.06.2018

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**(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned

No

Whether Reportable

No