

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

CRM-M No.2775 of 2018 (O&M)

Date of decision: 7th August, 2018

Bansi Lal @ Deva

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Ms. Anjali Khosla, Advocate for
Mr. Naresh Jain, Advocate for the petitioner.
Mr. Siddarth Sanwaria, Dy. Advocate General, Haryana.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Bansi Lal alias Deva in this regular bail application filed under Section 439 Cr.P.C. in case bearing FIR No.351 dated 25.12.2014 registered at Police Station Ellenabad, District Sirsa under Sections 392, 395, 397, 412, 34 IPC, are that on 25.12.2014 few un-identified persons, numbering eight, had forcibly entered the factory premises of complainant Dharam Chand, where he is working as a Purchase Manager and in the process, looted Rs.46.00 lacs and subsequently, during the course of investigations the petitioner was arrested on 27.07.2015 and as per the allegations Rs.13,000/- in cash alleged to be the remnants of the looted amount, were recovered from his conscious possession.

Learned counsel representing the petitioner Ms. Anjali Khosla, Advocate has vehemently contended that the petitioner is behind bars for more than three years and the trial is still at its initial stage which is likely to be prolonged.

On behalf of the State, Mr. Siddarth Sanwaria, Deputy Advocate General, Haryana has sought to oppose the same on the grounds of criminal track record of the petitioner which finds mentioned in the custody certificate placed on record by the learned State counsel.

Appreciating the submissions of the two sides, the petitioner is neither named in the FIR nor identified and there is nothing suggestive to show that the recovered amount could be connected with the commission of the alleged offence. In view of the period of incarceration and the fact that culpability, if any, shall be determined at the trial which is not likely to conclude in the near future, this Court is of the opinion that no useful purpose will be served by detaining the petitioner in the present case as he has already been allowed bail in the two cases cited in the custody certificate. In the light of the same, the petitioner is ordered to be released on regular bail on his furnishing personal bonds in the sum of Rs.1.00 lac along with two local sureties each of the like amount to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Sirsa. However, any observation made herein shall not be construed as an opinion on the merits of the case.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

August 7, 2018
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No