

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-40420-2018

Date of decision: 02.11.2018

Savin @ Banti

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Rajat Mor, Advocate for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C., prayer has been made for grant of regular bail to petitioner-Savin @ Banti, in case FIR No. 24 dated 15.02.2018 registered under Sections 379-A and 201 IPC at Police Station Loharu, District Bhiwani.

According to the prosecution, in the day time of 15.02.2018, petitioner and his four accomplice robbed complainant-Jagbir of ₹ 2 lakhs.

Learned counsel for the petitioner *inter alia* contends that initially, untraced report was filed in the aforesaid FIR. However, one co-accused of the petitioner, namely; Nitesh @ Chinna, was arrested in some other case bearing FIR No. 56 dated 01.04.2018 under Section 395 IPC and Section 25 of the Arms Act, Police Station, Loharu, who in his

disclosure statement named the petitioner as one of his companions for robbing the complainant for ₹ 2 lakhs on the given date and time. The petitioner has falsely been implicated on the aforesaid disclosure statement of his co-accused, which is a very weak type of evidence. Petitioner is in custody since 06.07.2018. Framing of charge and conclusion of trial may take a long time. No useful purpose would be served by detaining him in jail.

On the other hand, learned State counsel vehemently opposed the above submission of learned counsel for the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner-Savin @ Banti, is ordered to be released on bail pending trial, on his furnishing adequate bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

November 02, 2018

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned Yes/No

Whether reportable Yes/No