

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

CRM-M-43593-2017 (O&M)

Date of decision: 21.02.2018

Ajay & another

... Petitioners

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. H.S. Batth, Advocate for the petitioners.

Mr. Ashish Yadav, Additional Advocate General, Haryana.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Petitioners seek benefit of regular bail pending trial in case FIR No.372, dated 22.09.2016, under Sections 395/397/34 IPC, registered at Police Station Pataudi.

Counsel for the parties have been heard at length.

FIR came to be registered on the statement of Mam Chand. Complainant asserted that he was working in Reliance Retail limited Company, Bhiwari and on 22.09.2016, having finished his work while he was returning to home on a motorcycle, some persons came from the side of the road and inflicted a *lathi* blow and on account of which the complainant lost balance and fell down. Immediately thereupon, three more unidentified assailants arrived on the spot. Two mobile phones and purse of the complainant containing Rs.500-600/- were taken away after having tied the hands of the complainant.

FIR was registered against unnamed assailants.

Present petitioners are sought to be implicated on the basis of a

disclosure statement recorded while they were in custody in a different FIR.

Petitioners have been shown to be arrested in the present case on 03.01.2017.

As per prosecution, a sum of Rs.600/- is stated to have been recovered from petitioner No.1 and the two mobile phones from petitioner No.2.

Investigation in the case is complete and challan has been presented and even charges have been framed.

Trial would take time to conclude as learned State counsel upon instructions from ASI Ajit Kumar informs the Court that out of 9 prosecution witnesses cited, 2 have been examined till date.

Petitioners have faced incarceration for a period in excess of 1 year.

Co-accused, Birpal has been granted benefit of regular bail by this Court in the light of order dated 07.02.2018 passed in CRM-M-600-2018.

Without making any observations on merit, petitioners are held entitled to the benefit of bail.

Petitioners be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate concerned.

Disposed of.

21.02.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |