

Sr. No.223

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

CRM No. M-44641 of 2017 (O&M)

Date of Decision: 19.01.2018

Noman

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. Kuldeep Sheoran, Advocate,
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks regular bail pending trial in case FIR No.204 dated 05.04.2017, under Section 395 of IPC, registered at Police Station Badshahpur, Gurugram.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Anuj who stated that he was working as a driver of a commercial vehicle. Precise allegations are that on 04.04.2017 after having loaded a consignment of iron saria, the vehicle had been parked at night and thereafter four unknown persons came in a swift car and after immobilizing the petitioner as also the cleaner, the vehicle was taken away towards Alwar via Sohna.

Petitioner was arrested on 24.04.2017 on the basis of secret information.

Investigation in the case is complete, challan stands

presented and the trial has progressed inasmuch as out of 09 prosecution witnesses cited 05 have been examined.

Even though the prayer for bail was opposed by learned State counsel by submitting that the petitioner is a habitual offender and is involved in one other FIR of a similar nature but in the same breath it has been conceded that in such proceedings the trial has culminated in the acquittal of the petitioner.

In the totality of the circumstances and without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to the satisfaction of the trial Court/Duty Magistrate, Gurugram.

Disposed of.

19.01.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

No