

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

206

CRM-M NO.4766 OF 2018

DATE OF DECISION: FEBRUARY 12, 2018

Ankit @ Rinku

.....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Manoj K. Tanwar, Advocate,
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana,
for the State.

AUGUSTINE GEORGE MASI, J. (ORAL)

The petitioner has filed the present petition for grant of regular bail in case FIR No.562, dated 11.11.2017, registered under Section 395 IPC, at Police Station Sadar Dadri, District Charkhi Dadri (Annexure P-1).

It is the contention of learned counsel for the petitioner that as per the allegations, the petitioner alongwith others have entered the wine shop and taken away ₹13,000/- alongwith 6/7 bottles of English liquor and 6 bottles of bear. Counsel contends that the petitioner was arrested on 28.11.2017 and the challan has also been presented. The recovery, which has been shown to have been made from the petitioner, on disclosure, is ₹1,000/-. He further states that even going by the FIR, the petitioner has actually not entered the wine shop and rather was sitting in the car, when the

others, who were three in number, had entered the shop and committed the offence. Further contention of the counsel is that the petitioner is a student of A.I.Jat Heroes Memorial College, Rohtak. He also contends that the petitioner is not named in the FIR and the trial is not likely to conclude soon as even the charges have not yet been framed. Counsel submits that the examination of the next semester of the petitioner are now likely to commence in the month of April 2018 and if bail is not granted to him, he will lose a vital year of his career as he is in the final year of Bachelor of Arts. Prayer has, thus, been made for grant of concession of regular bail to the petitioner.

On the other hand, learned counsel for the State submits that the petitioner, in his disclosure statement, has admitted the commission of an offence and has got recovered ₹1,000/-. He further contends that the petitioner was accompanying the other co-accused and, therefore, cannot say that he is not involved in the commission of offence as he was one of the persons, who had consumed liquor, which was stolen. He, therefore, states that the present petition for regular bail may be dismissed.

Having considered the submissions made by counsel for the parties and keeping in view the fact that the petitioner is not named in the FIR nor any further recovery is to be effected from him; the fact that challan has already been presented; the trial is not likely to conclude soon and especially when the co-accused of the petitioner, namely, Amit has been granted the concession of regular bail by this Court on 30.01.2018 in Criminal Misc. M No.644 of 2018 (Amit Vs. State of Haryana), the present application is allowed. The petitioner is directed to be released on bail on his furnishing personal and surety bonds to the satisfaction of Trial

Court/Chief Judicial Magistrate/Duty Magistrate, Charkhi Dadri.

**February 12, 2018
khurmi**

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No