

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

204

CRM-M No.644 of 2018

Date of Decision: January 30th, 2018

Amit

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

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

Mr. Kuldeep Sharma, Deputy Advocate General, Haryana.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner is alleged to have been, along with two other persons, stolen ₹13,000/- and 6-7 bottles of English wine and 6 bottles of beer along with mobile phone from a liquor vend.

Counsel for the petitioner contends that what has been recovered from the petitioner is only a car in which they were travelling and ₹1,000/- No liquor or mobile phone has been recovered and the petitioner was arrested after 17 days. He contends that the petitioner is serving in the Army and had come home for vacations. He contends that false case has been registered against the petitioner. His further contention is that the petitioner will face the trial and only challan has been presented as of now which shows that the investigation is completed but the charge has yet not been framed. The trial is likely to take a long time and since no recovery is to be effected from the petitioner, no useful purpose would be served by keeping the petitioner in custody. Referring to the challan, he contends that the salary of the petitioner has been admitted by the respondents to be ₹3,50,000/- per annum. With such an income, the petitioner would not even think of robbing ₹13,000/- and that too from a liquor vend, especially when

he is holding such a responsible assignment in the Army. He, thus, prays for concession of regular bail during the pendency of the trial.

Learned counsel for the State, on the other hand, submits that the vehicle which was involved in the commission of the crime has been recovered from the petitioner and ₹1,000/- has also been recovered. He, however, could not dispute the fact that no further recovery has been effected from any of the accused including the petitioner.

Keeping in view the facts and circumstances of the case, as has been reflected in the arguments of the counsel above, the petitioner being in custody since 28.11.2017 and the challan having been filed, the trial is not likely to conclude at an early date, the present petition is allowed.

Petitioner-Amit is directed to be released on bail on furnishing bail and surety bonds to the satisfaction of the trial Court, Bhiwani.

January 30th, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No