

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-7716 of 2018
Date of Decision: March 22, 2018

Naheem @ Naim

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Sarfraj Hussain, Advocate
for the petitioner

Mr. Munish Sharma, AAG Haryana

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 246 dated 29.03.2017, registered under Sections 342, 379-B, 459 read with Section 34 IPC and Sections 25/54/59 of Arms Act, 1959 at Police Station Chandni Bagh, Panipat, District Panipat.

As per the allegations in the FIR, three unknown boys suddenly entered the house of the complainant on the pretext of meeting his maid and committed robbery.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and he is not even alleged to have participated in the actual crime. As per the prosecution, the petitioner was posted as a Lookout outside the house of the complainant. He has been in custody since 31.03.2017 and the investigation in this case is complete. All the material witnesses have also been examined and, therefore, the petitioner deserves concession of regular bail.

Learned State counsel has opposed this prayer on the ground that even though the petitioner is alleged to be a Lookout, common intention is there and he is equally liable as the co-accused. However, it is not denied that the material

witnesses have already been examined.

Keeping in view the totality of the facts and circumstances of this case, it would be appropriate to release the petitioner on bail during the pendency of the trial.

Accordingly, the petition is allowed. Petitioner – Naheem @ Naim is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

March 22, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No