

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

**Criminal Misc. No. M-8030 of 2019
Date of decision: 10.04.2019**

Mainpal

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Chanderhas Yadav, Advocate
for the petitioner.

Mr. Rajesh Sheoran, Addl. A.G., Haryana
for the respondent-State.

Daya Chaudhary, J. (Oral)

The present petition has been filed by petitioner under Section 439 Cr.P.C. for grant of regular bail to him in case FIR No.229 dated 04.10.2018 registered under Section 379-A read with Section 34 IPC at Police Station Loharu, District Bhiwani.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case whereas he was not involved. Co-accused of the petitioner, namely, Ashok, who is also on similar footing, approached this Court by way of filing Criminal Misc. No. M-12545 of 2019 and has been released on regular bail vide order dated 26.03.2019. The petitioner is in custody since 07.10.2018. The complainant has been examined but he has not supported the case of the prosecution. The complainant has specifically stated in his statement that he does not know the registration number of the vehicle and even he does not know the name and address of the assailants. It has further been stated by him that the persons present in the Court were not the same assailants who put some

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powder on his face and had taken away his golden ring. It has also been stated that no such complaint was moved by him before the Police.

Learned State counsel has not disputed the custody period as well as recording of statement of complainant and also the fact that co-accused of the petitioner, namely, Ashok has been released on regular bail by this Court.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

By considering the parity with co-accused-Ashok, who has been released on regular bail by this Court; the petitioner is in custody since 07.10.2018; statement of complainant has been recorded but he has not supported the case of the prosecution, the present petition is allowed and the petitioner (Mainpal) is directed to be released on regular bail on furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

10.04.2019
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	Yes