

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-24626-2019

Date of decision-31.05.2019

Deepak @ Deepu

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. J.P. Rana, Advocate for the petitioner.

Mr. Anmol Malik, Assistant Advocate General, Haryana
Assisted by ASI Jitender.

MANOJ BAJAJ, J.

Petitioner-Deepak @ Deepu son of Sh. Vijay has prayed for grant of regular bail in case FIR No.59 dated 17.01.2019 under Sections 34 and 379B IPC registered at Police Station Karnal Sadar, District Karnal. The petitioner is in custody since 16.03.2019.

The FIR was registered on the basis of statement of Kuldeep Singh son of Ishwar Singh, wherein it was alleged that on 16.01.2019, when he was going to house after collection of cash of Rs.93,000/- from his liquor shop, then about 5-6 persons namely Neshi, Raju along with his elder brother and 2-3 more persons namely Nasib attacked upon him with *Gandasi*, *Danda* and *Binde*. The assailants snatched Rs.93,000/- and motorcycle from the complainant. On these allegations, the above mentioned FIR was registered.

Learned counsel for the petitioner contends that petitioner is not

named in the FIR and has been falsely implicated. It is further contended that there was allegations regarding beatings and causing injuries by *danda*. However, no offence against any of the assailants has been registered for causing the injuries. It is further pointed out that co-accused namely Raju is already released on bail. The petitioner was indicted on the basis of his statement. The custody of the petitioner is not required for any further investigation etc.

On the other hand, the prayer is opposed by learned State counsel on the ground that the petitioner was one of the assailants, who committed the alleged offence.

Considering the above and the fact that trial is likely to consume considerable time, this Court is of the opinion that further detention of the petitioner may not be justified who is not involved in any other case of similar nature. Therefore, without meaning any expression of opinion on the merits of the case it is ordered that the petitioner-Deepak @ Deepu be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Karnal.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

31.05.2019
sonia arora

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