

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

CRM-M No. 34570 of 2019

Date of Decision:-02.09.2019

Naseeb Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Udeyveer Singh Rana, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ J.(Oral)

Petitioner Naseeb Singh has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.59 dated 17.01.2019, under Sections 34 and 379-B IPC, registered at Police Station Sadar, District Karnal. The petitioner is in custody since the day of arrest i.e. 07.5.2019.

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 ₹93,000/- from his liquor shop, then about 5-6 persons namely Naresh @ Neshi, Raju along with his elder brother and 2-3 more persons namely Naseeb (petitioner) attacked upon him with Gandasi, Danda and Binde. The assailants snatched ₹93,000/- and motorcycle from the complainant. On these allegations, the above mentioned FIR was registered.

Learned counsel the petitioner contends that the petitioner though named in the FIR but has been falsely implicated. He further contends that the concession of regular bail is already extended to co-accused namely Deepak @ Deepu vide order dated 31.5.2019 passed by this Court in CRM-M-24626-2019. He further contends that the case of the petitioner is at par with co-accused Naresh @ Neshi, who has also been granted concession of regular bail by this Court vide order dated 16.7.2019 passed by this Court in CRM-M-28871-2019. It is pointed out that after investigation, final report already stands submitted and further custody of the petitioner may not be justified.

On the other hand, bail application is opposed by learned State counsel, who is assisted by ASI Satpal. It is not disputed by the learned State counsel that investigation in the case is complete and the concession of regular bail has already been extended to the co-accused .

Considering the above background and the fact that trial is likely to take some time, further detention of the petitioner may not be justified. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

September 02, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No