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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-33946-2019

Date of decision-28.08.2019

Narender @ Bholu

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rajesh Hooda, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana assisted by
ASI Ashok.

MANOJ BAJAJ, J.

Petitioner- Narender @ Bholu has prayed for grant of regular bail in case FIR No.295 dated 28.06.2018 registered under Sections 457 and 380 of Indian Penal Code, 1860 at Police Station Urban Estate, District Rohtak.

The FIR was registered on the statement of complainant Pradip s/o Pawan Kumar, which is reproduced hereunder :-

To, The SHO, Police Station Urban Estate, Rohtak, Haryana. Sir, I Pradip son of Shri Pawan Kumar caste Goldsmith is resident of H.No.B/8/52, Adersh Colony, Canal Road, Sujanpur, District Pathankot, Punjab, presently resident of H.No.888, Sector-1, Rohtak (9888722085) and I am working in AGS Transfer Technologies Ltd. as a Field Executive and I look after the area of District Rohtak and Jind. Today on 28.6.18 at noon at around 11.00 am, Custodian Sunil Kumar

telephoned me and told that in the market of Sector 2, the ATM of SBI Bank has been stolen. Its ATM ID is BHNF000706042. On receiving the information, I reached the spot and found that ATM machine was stolen. When it was checked online, it was found that the ATM swich cash balance was Rs. Twenty nine lac twenty thousand and three hundred (2920300). The last TXN of ATM machine was on 27.6.18 at 10:27 pm. The ATM machine has been stolen in the night by unknown persons. Kindly take legal action against the unknown persons.....”

Learned counsel for the petitioner contends that the petitioner was not named in the FIR and was indicted on the basis of disclosure statement suffered by co-accused, namely, Rohit. He further states that the said accused has already been granted bail by the trial Court vide order dated 27.12.2018. It is further pointed out that investigation of the case is complete.

On the other hand, learned State counsel, who is assisted by ASI Ashok, opposed the prayer on the ground that the petitioner is also involved in other similar case. However, it is not disputed that co-accused Rohit has already stands released on bail by the trial Court.

Considering the above and the fact that the offences are triable by Magistrate as well as the fact that the trial is likely to consume some time, this Court does not find any valid reason to detain the petitioner any further in custody. 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, Rohtak.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

28.08.2019

vanita

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