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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45781-2019
Date of decision-31.10.2019

Baljeet

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Naveen Sharma, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J.

Petitioner-Baljeet has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.154 dated 19.10.2018 registered under Sections 380 and 458 of Indian Penal Code, 1860 (Section 379-B read with Section 34 IPC added later on) at Police Station Panjokhra, District Ambala, Haryana. The petitioner is in custody since his arrest on 10.12.2018.

The FIR was registered on the statement of complainant, namely, Baba Deepnand son of Guru Prabhu wherein it was alleged that on 18.10.2018, three unknown persons entered in complainant's room and snatched Rs.4,000/- and mobile and while leaving, they tied the hands and legs of the complainant and broke CCTV camera. On these broad allegations, FIR was registered.

Learned counsel for the petitioner contends that the petitioner

has been falsely implicated in the present case as he is not named in the FIR. He submits that co-accused, namely, Lavish has already been granted the concession of bail. He further contends that there is no case against the petitioner and complainant has already been examined. Therefore, further custody of the petitioner may not be required.

On the other hand, learned State counsel assisted by SI Balraj opposed the prayer, however, it is not disputed that the petitioner is not involved in any other case and material witness i.e. complainant stands examined.

After hearing learned counsel for the parties, this Court is of the opinion that trial of the case is likely to consume considerable time as only five prosecution witnesses have been examined so far out of total 20 witnesses, therefore, further custody of the petitioner may not be justified. Resultantly, 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, Ambala.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

31.10.2019

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