

Sr. No.218

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

**CRM-M-136-2019(O&M)
Date of decision:15.01.2019**

Partap Singh @ Pritam

.....Petitioner

versus

State of Haryana

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Gaurav Singla, Advocate
for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

Rajbir Sehrawat, J(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.317, dated 29.06.2018 registered under Sections 379-B/34 IPC at Police Station Sadar Ballabgarh, District Faridabad.

Learned counsel for the petitioner contends that the petitioner is not involved in the offence. No test identification parade was conducted. It is further contended that even the Complainant has sworn an affidavit that the petitioner is not the person; who was involved in the incident. The said affidavit has been attached with the present petition as well.

On the other hand, learned counsel for the State, being instructed by HC Karam Singh, submits that the Mobile Phone has been recovered from the petitioner. Therefore, the identity of the petitioner is well established. However, it is not disputed by counsel for the State that no test identification parade was conducted.

In view of above, but without commenting upon the merits of

the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/sureties to the satisfaction of the Trial Court/Duty Magistrate.

15th January, 2019

Shivani Kaushik

[RAJBIR SEHRAWAT]
JUDGE

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*