

232
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

SANJIV KUMAR SHARMA
2019.12.16 18:55
I attest to the accuracy and
authenticity of this document

CRM-M-51733-2019
Date of decision : 10.12.2019

Mandeep alias Sarkari Petitioner

Versus

State of Haryana Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Virendra Rana, Advocate
for petitioner.

Mr. Saurabh Girdhar, AAG Haryana.

-.-

-.-

HARINDER SINGH SIDHU, J.

This is a petition filed for grant of bail in case FIR No. 235, dated 10.10.2018, registered under Sections 392, 34 IPC (Sections 392, 34 IPC later on deleted and Sections 395, 120 B IPC added) and Section 25 of Arms Act at Police Station Loharu, District Bhiwani.

The case was registered on the complaint of one Amit Butani stating that he has installed a petrol pump under in the name and style of Ridhi and Sidhi. At about 2.30 pm, one black colour HF Deluxe motorcycle bearing registration No. HR 18C 2368 came at petrol pump and 3 young boys were riding the motorcycle. The boy who was driving the motorcycle was wearing a helmet and other boys sitting behind jumped from the motorcycle. They entered the office and took out pistols from their dub. They pointed their pistols towards Manager and Salesman of petrol pump, snatched Rs. 9700/- from them and ran away.

The learned counsel for petitioner has contended that in his deposition before Court, complainant has not identified petitioner as one of those boys who was involved in the loot. Even the other eye witnesses PW2 and PW3 have not supported the case of prosecution.

Petitioner is in custody since 5.11.2018. The trial of the case may take long time. No useful purpose will be served by keeping him in custody till the final disposal of the case.

Keeping in view the facts and circumstances of present case; without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

However, if petitioner indulges in any activity of similar nature, while on bail, prosecution agency will be at liberty to seek cancellation of order granting bail to petitioner.

(HARINDER SINGH SIDHU)
JUDGE

10.12.2019

sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No