

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

**CRM-M No.54694 of 2018
Date of Decision: 28.02.2019**

Mushtakeem

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present:- Mr. D.S. Matya, Advocate for the petitioner

Mr. Ramesh Kumar Ambauta, AAG, Haryana.

HARINDER SINGH SIDHU, J.

This is a petition for regular bail in case FIR No.1 dated 05.01.2018 under Section 395 IPC, registered at Police Station Rojka Meo, District Nuh.

FIR has been registered on the statement of Mohd. Asraf that he received a telephonic call from phone No.9653756143 on his phone No.7975906577 and 8748032535. The caller stated that he has a Fortuner having number of Karnataka and he would sell the same for Rs.7 lacs. The complainant was asked to come to Ferozepur Jhirka Nuh (Mewat). The complainant and his colleague Hussain reached at Delhi Air Port. Next morning the Caller asked them to reach Rajiv Chowk Gurgaon. He took them to Ferozepur Jhirka in his Scorpio in order to show the vehicle. There were two other persons in the Scorpio. When they reached HSIIDC IMT Sohna then they took the vehicle to the right side and stopped it after reaching some distance. Four persons were already there. They all snatched his big black colour bag wherein there was small black colour bag containing amount of Rs.4,30,000/-. They also snatched the Mobile of Hussain.

The trial of the case has commenced. Two prosecution witnesses have been examined. However, the complainant has not been examined so far. Ld. Counsel for the petitioner states that the trial is not making much headway because of non-appearance of the complainant. The complainant was first summoned in May, 2018, but he has not appeared so far.

Considering that the trial may take long time and in view of the fact that the petitoiner has been in custody since 04.03.2018, no useful purpose would be served by keeping him behind the bars.

Accordingly, the petition is allowed.

The petitioner be released on bail to the satisfaction of learned trial Court/Duty Magistrate concerned.

February 28, 2019

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**(HARINDER SINGH SIDHU)
JUDGE**

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No