

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

219

CRM-M-5440-2020

Date of Decision : 05.03.2020

Mandeep Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. G.S. Sandhu, Advocate
for the petitioner.

Mr. Arjun Singh Yadav, Asstt. A.G., Haryana
for the respondent-State.

ARUN KUMAR TYAGI, J. (Oral)

The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.1 dated 01.01.2020 registered under Sections 120-B, 413, 427, 457, 380 and 511 of the Indian Penal Code, 1860 (for short 'the IPC') at Police Station Sadar Kaithal, District Kaithal.

Briefly stated the facts relevant for disposal of the present petition are that on 01.01.2020 on being informed by a neighbour about three unknown persons having entered into the premises of Sarv Haryana Gramin Bank, Branch Teak with intent to commit theft, Rajinder Kumar reached there and informed the police on which police party headed by S.I. Satpal reached the spot and arrested accused Umesh, Amit Kumar and Sonu. On the basis of disclosure statements made by them present petitioner-Mandeep Singh and co-accused Ankit were arrested on 03.01.2020 and vehicle No.HR67B-8150 and fake pistol were recovered from their joint possession. The police investigated the case and on completion of investigation charge-sheeted all the above-said five persons. The petitioner being in custody since 03.01.2020 has sought grant of regular bail.

Learned State Counsel has appeared and opposed the petition. However, no reply has been filed by the respondent-State.

I have heard learned Counsel for the petitioner and learned State Counsel and gone through the record.

Learned Counsel for the petitioner has argued that the petitioner was not named in the FIR and has been falsely implicated on the basis of disclosure statements of his co-accused. The petitioner did not conspire and participate in the commission of offence. The petitioner is not the owner of the vehicle recovered. The alleged recovery has been falsely planted on the petitioner. The trial is likely to take long time. The petitioner is ready to abide by all the terms and conditions regarding his appearance before the Court. Therefore, the petitioner may be granted regular bail.

On the other hand, learned State Counsel has argued that the allegations against the petitioner are serious. In view of gravity of offences committed, the petitioner does not deserve the concession of regular bail. Therefore, the petition may be dismissed.

Keeping in view the facts and circumstances of the case, nature of accusation and evidence against the petitioner, period of his custody, the fact that trial is likely to take long time and that further detention of the petitioner in custody, not being punitive, will not serve any useful purpose as his presence can be secured during trial otherwise also but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned.

05.03.2020

Kothiyal

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No