

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

213

CRM-M-428-2021

Decided on: 25.02.2021

Parveen

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Parveen Kaushik, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

(Through Video Conferencing)

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.141 dated 14.06.2019, registered under Sections 307, 392, 394 and 397 of the Indian Penal Code, 1860 (in short 'IPC') and 25-54-59 of the Arms Act, 1959 registered at Police Station Badhra, District Charkhi Dadri.

Counsel for the petitioner submits that as per allegations in the FIR registered at the instance of complainant Pardeep, he was present at his stone crusher, 5 persons armed with deadly weapons committed dacoity and one of the accused fired upon two persons namely Deepak who sustained an injury on his foot and Bhagirath who sustained an injury on his shoulder and in that process, an amount of Rs.4,96,560/- was taken away. Counsel for the petitioner submits that the petitioner was arrested after 10 days on 24.06.2019, on a disclosure

made by co-accused Anand @ Monu. Counsel further submits that as per disclosure, of Anand @ Monu, it is co-accused who used the fire arm while committing the offence and from the petitioner, no fire arm was recovered and only a motorcycle and Rs.10,000/- were recovered. Counsel further submits that since the petitioner was nominated subsequently, his identity is yet to be established before the trial Court and he is in custody for the last 01 year and 07 months and no prosecution witness has been examined so far.

After hearing counsel for the parties, considering the aforesaid facts and long custody of the petitioner, this petition is allowed and he is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

(ARVIND SINGH SANGWAN)
JUDGE

25.02.2021
anju

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