

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

214

CRM-M-8107-2021

Date of Decision: 30.07.2021

Balkar Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Rajiv Kumar Saini, Advocate,
for the petitioner.

Mr. Zorawar S. Chauhan, DAG, Haryana,
assisted by ASI Subhash.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.722 dated 28.11.2020 at Police Station Shahbad, Kurukshetra, under Sections 380/457 IPC.
2. The FIR in question was lodged at the instance of Neeraj Kumar, wherein it is alleged that on account of his younger brother's marriage, which was fixed for 24/25.11.2020, 8 LPG (domestic cooking gas) cylinders had been kept at their shop at Kishangarh road. It is alleged that on 24.11.2020, someone broke the lock of the shop and stole 8 gas cylinders. It is alleged that another 5 gas cylinders were also stolen from the porch of house of Amrik Singh.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that since in any case 11 out of the allegedly 13 stolen gas cylinders have already been recovered and challan has been presented, the petitioner deserves to be released on bail.
4. Opposing the petition, learned State counsel has submitted that the petitioner is a habitual offender having been involved in 8 other cases though he stands acquitted in 4 of the said cases. Learned State counsel has, however, informed that the petitioner has been behind bars since the last about 8 months and that in the instant case charges are yet to be framed.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case especially that the challan already stands presented and that the petitioner has been behind bars for a substantial period 8 months and trial has not even commenced so far, further detention of the petitioner will not serve any useful purpose as the conclusion of trial will take some time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

30.07.2021

Vimal

**(GURVINDER SINGH GILL)
JUDGE**

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