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

**CRM-M No.21126 of 2021
Date of Decision:28.06.2021**

SAGAR

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Amit Chaudhary, Advocate
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail in case bearing FIR No.0007 dated 04.01.2020 registered under Sections 332, 353, 395, 427, 511 IPC (Section 397 IPC and Sections 25/54/59 of the Arms Act added subsequently) at Police Station Bhuna, District Fatehabad.

Petitioner has been nominated as an accused on the basis of disclosure statement of co-accused Amit Kumar. The occurrence took place in the intervening night of

03.01.2020/04.01.2020. The accused had taken out an amount of Rs.3,000/- dishonestly by cutting the shutter of ATM of SBI installed in village Jandli Kalana with the help of gas cylinder and gas cutter. During course of investigation statement of Des Raj, Bank Manager of SBI Jandli Kalan was recorded under Section 161 Cr.P.C in which factum of an amount to the tune of Rs.9 lacs having been stored in the ATM machine came to fore. According to the said statement, only an amount of Rs.3,000/- was found less and the said amount was not identifiable with reference to any specific mark of identification in order to make the amount as tainted amount.

Co-accused Amit Kumar has been granted regular bail by this Court vide order dated 28.04.2021 passed in CRM-M No.11858 of 2021. Co-accused namely Sushil Kumar has also been granted regular bail by this Court vide order dated 19.11.2020 passed in CRM-M No.19938 of 2020. Co-accused Kuldeep Singh alias Kita has also been granted regular bail vide order dated 15.03.2021 passed in CRM-M No.38873 of 2020.

Learned counsel for the petitioner submits that in the status report filed by way of affidavit of Ajaib Singh, HPS, Deputy Superintendent of Police, Fatehabad, it has come on record that the recovery of alleged looted money to the tune of Rs.3,000/- has not been effected from any of the accused

person.

The factual position of the case has not been disputed by learned State counsel.

Petitioner is in custody since 15.02.2020. Challan has already been presented but charges have not been framed so far.

Keeping in view of the situation arising out due to COVID-19 pandemic and without adverting to the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

28.06.2021

Amandeep/Prince

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No