

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

CRM-M-51277 of 2021

DECIDED ON:14th December, 2021

Yasik

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Arjun Dhingra, Advocate for petitioner.

Mr. Karan Garg, AAG Haryana.

AVNEESH JHINGAN, J (ORAL)

The petitioner is before this Court for regular bail in case of FIR No.23 dated 13.2.2021, under Sections 395, 397 IPC 1860 and 25 of Arms Act, 1959, registered at Police Station Bahin, District Palwal.

The FIR was got registered by Ankush alleging that on 12.2.2021, he loaded a truck for delivery from Tauru to Calcutta. Near village Bahin, 7-8 persons alighted from Bolero car, gave him beating and took away goods from the truck. He was robbed of two mobiles, Rs.7000/- in cash, Adhar Card, PAN Card, driving licence, ATM Card.

Learned counsel for the petitioner submits that it is a case of false implication and recovery from the petitioner is of two pairs of kurta Pajama (ladies kurta Plazo), five T-shirts and five Cream Box.

The contention is that there is nothing to connect the recovery with material looted from the truck. The contention is that the petitioner has no criminal antecedents and it is only on the basis of his admission in the police custody, the challan was filed against him.

Learned State counsel opposes the prayer for grant of bail. He however fairly submits that the petitioner is not involved in any other case and investigation is complete.

Considering the nature of allegations, articles recovered from the petitioner, the custody period and that conclusion of trial is likely to take time, petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

14th December, 2021

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**(AVNEESH JHINGAN)
JUDGE**

Whether speaking/reasoned *Yes*

Whether reportable *Yes*