

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

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**208-CRM-M-49516-2022**

**Date of Decision: 19.12.2022**

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Sohan Lal @ Sonu

... Petitioner

VS.

State of Haryana

... Respondent

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**CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL**

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Present: Mr. Namit Khurana, Advocate for the petitioner

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**Sandeep Moudgil, J. (Oral)**

The petitioner seeks regular bail in case FIR No.122 dated 02.06.2022 under Sections 458/395/427 IPC registered at Police Station Buria, District Yamuna Nagar.

Learned counsel for the petitioner contends that the petitioner was not named in the FIR and has been falsely implicated.

Notice of motion.

On the asking of the Court, Mr. Chetan Sharma, AAG Haryana accepts notice. He has filed custody certificate dated 17.12.2022, which is taken on record, showing that the petitioner is under custody for the last 06 months and 13 days and there is no other case against him. However, he contends that the petitioner was a member of the group which was riding the stolen tractor and they gagged the mouth of the chowkidar, tied his hands and also made an attempt to sever his neck and steal the tractor but could not succeed. The mobile phone stolen from the chowkidar has been recovered from the possession of the petitioner.

Since the mobile phone stands recovered and the tractor and other related articles has also been recovered from other co-accused persons,

who were actively and collectively, involved in the commissioning of offence and considering the fact that the petitioner is behind the bars for the last 6 months and 30 days, and also looking at the totality of facts and circumstances and in view of the fact that the conclusion of the trial is likely to take long time and, therefore, no fruitful purpose will be served by keeping the petitioner behind bars, the petitioner is directed to be released on regular bail on furnishing bail and surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The present petition is, therefore, allowed.

19.12.2022

V.Vishal

- 1. Whether speaking/reasoned?
- 2. Whether reportable?

(Sandeep Moudgil)  
Judge

Yes/No  
Yes/No