

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-56899-2022

Date of Decision: 12.12.2022

MAHESH KUMAR

... Petitioner

VS.

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. Sudhir Rana, Advocate for the petitioner
Mr. Chetan Sharma, AAG Haryana

Sandeep Moudgil, J. (Oral)

(1) The petitioner has filed petition under Section 439 CrPC seeking regular bail in case FIR No.170 dated 21.05.2022 under Sections 457/380/427/411 IPC registered at Police Station Khol, District Rewari.

(2) Learned counsel for the petitioner submits that the offence under Section 427 IPC is bailable and that of Sections 380/452/457/411 IPC are non-bailable.

(3) Notice of motion.

(4) On the asking of the Court, Mr. Chetan Sharma, AAG Haryana accepts notice and states that the petitioner barged into the bank through ventilator and damaged one passbook printing machine, one note sorting machine, one note counting machine, tubelight, electricity wires, BSNL lease line and two counter passbook machines and had also stolen tab kept for opening the bank account.

(5) Learned State counsel has also submitted that the whole incident and occurrence has been recorded in the CCTV, which is now in possession of the investigating agency and the presence of the petitioner has also not been denied by the petitioner, during the course of investigation. Custody

certificate dated 10.12.2022 produced by learned State counsel is taken on record which shows that the petitioner has custody of only 5 months 21 days, so far.

(6) Considering the nature of allegations which are serious in nature, wherein the petitioner has barged into the bank and damaged the bank property despite the fact that the offences are non-bailable (except Section 427 IPC), and keeping in view the gravity with which the petitioner entered into the premises of the Bank through the ventilator over the Manager’s cabin, he not only damaged the bank property but also is responsible for stealing the tab used for opening the bank accounts, this court does not find any merit in this present petition which is accordingly dismissed.

12.12.2022
V.Vishal

(Sandeep Moudgil)
Judge

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

Yes/No
Yes/No