

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

236 (02 cases)

CRM-M-37551-2023
Date of Decision.:21.08.2023

Sameer Hasan
Vs.
State of Haryana

.....Petitioner
.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Munish Behl, Advocate
for the petitioner.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.86 dated 12.03.2023 registered under Section 397 of the IPC (subsequently added Section 201 of the IPC) registered at Police Station Mullana, District Ambala.

2. FIR was lodged on the complaint of Hoshiar Singh as per which on the night of 11.03.2023, three unknown persons entered in his poultry farm and on the point of a pistol took away his cocks/roosters.

3. Learned counsel for the petitioner contends that petitioner is not named in the FIR and that he has been nominated with the allegation that he had purchased the stolen cocks/roosters. Learned counsel further points out towards order dated 27.07.2023 passed by this Court in CRM-M-35924-2023 (Annexure P-2) whereby co-accused Hussain was granted anticipatory bail.

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4. Notice of motion.
5. Mr. Parveen Kumar Aggarwal, DAG, Haryana accepts notice on behalf of respondent- State.
6. Learned State counsel opposes the bail petition by stating that as per the disclosure statement of co-accused, petitioner had gone to the spot for committing crime.
7. As per the custody certificate placed on record by learned State counsel petitioner is in custody for the last 02 months and 25 days with no criminal antecedents. Trial is likely to take long time to conclude. Case of the petitioner is dependent upon the disclosure statement of co-accused. No purpose would be served by detaining the accused behind the bars.
8. Having regard the aforesaid facts and circumstances, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

August 21, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No