

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

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CRM-M No.21312 of 2015.

Date of Decision: July 09, 2015.

Antiramaraao alias Anuj

....Petitioner.

VERSUS

State of Haryana

....Respondent.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.

Present: Mr. Ajay Ghangas, Advocate for the petitioner.
Ms. Mahima, Assistant Advocate General, Haryana
assisted with Head Constable Bal Krishan.

SNEH PRASHAR, J.

The present petition has been filed under Section 439 of the Code of Criminal Procedure (in short, "Cr.P.C.") for grant of concession of regular bail to the petitioner in case bearing First Information Report No.66 dated 12.03.2015 under Section 392/412 of the Indian Penal Code (in short, "I.P.C.") and 26/54/59 of the Arms Act, registered at Police Station Badhra, District Bhiwani.

The accusation against the petitioner is that he was the recipient of Micromax mobile phone which was snatched by two unknown boys from complainant Satish on 12.03.2015 when at about 3 p.m., he was going to his maternal uncle's place by means of vehicle bearing registration no.HR-13F-3311.

Custody certificate in the shape of affidavit of Satvinder Kumar, Superintendent, District Jail, Bhiwani has been filed by learned

State counsel.

The submissions made by learned counsel representing the petitioner and learned counsel representing the State of Haryana have been considered.

Admittedly, as per the prosecution the petitioner is not accused of offence under Section 392 I.P.C. and section 25 of the Arms Act, 1959. During investigation, he was arrested and in pursuance of his disclosure statement the mobile phone of the complainant was allegedly recovered. It will be a moot point whether Section 412 I.P.C. is made out against the petitioner.

In any case, petitioner is in custody since 06.06.2015. The accused, who looted the complainant are yet to be arrested. Nothing remains to be recovered from the petitioner. Considering all facts and circumstances and without going into merit of the case, at this stage, there being no plausible ground to detain the petitioner in custody, he is admitted to bail, subject to his furnishing bail/ surety bonds, to the satisfaction of Area Magistrate/Trial Court, Bhiwani.

(SNEH PRASHAR)
JUDGE

July 09, 2015
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