

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

**Crl. Misc. No.M-25268 of 2017 (O&M)
Date of Decision: November 06, 2017.**

Sumit @ Mitu

.....PETITIONER(s).

VERSUS

State of Haryana

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Vikas Lochab, Advocate
for the petitioner (s).

Mr. Deepak Grewal, D.A.G., Haryana.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 89 dated 07.03.2017 registered for the offence punishable under Section 379-A(1) IPC at Police Station Sonipat Sadar, District Sonipat.

Heard.

FIR in this case was registered on the statement of complainant-Suman from whom three young boys on the motor cycle snatched her bag containing ₹15,000/-, some foreign currency and her mobile phones.

Learned State counsel submits that the petitioner was arrested in this case on 12.03.2017 on the disclosure statement of co-accused and recovery of ₹300 and two coins of foreign currency was effected from his possession. The other two accused in this case were also arrested. As they

are juvenile, their case has been presented to the Juvenile Justice Board where they are facing trial.

Learned counsel for the petitioner submits that petitioner is not named in the FIR and has not been identified at any stage, during investigation. The recovery of currency effected from the petitioner cannot be connected with the amount snatched from the complainant.

Keeping in view the period of incarceration of petitioner and facts of the case but without expressing any opinion on merits, the present petition is allowed. Petitioner Sumit @ Mitu is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- a. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- c. He shall not leave the country without the prior permission of the Court.

(SURINDER GUPTA)
JUDGE

November 06, 2017
Jyoti-II

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***