

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

**CRM-M-30651 of 2017**  
**Date of Decision: 11.09.2017**

Vicky @ Sonu

....Petitioner

**VERSUS**

State of Haryana

....Respondent

**CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA**

Present: Mr. Subhash Ahuja, Advocate  
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

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**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.250 dated 20.06.2017 registered for offences punishable under Sections 392 and 394 of Indian Penal Code (for short, "IPC") at Police Station Barwala, District Hisar.

Heard.

As per statement of complainant, petitioner alongwith his co-accused had attacked him with iron punch. However, his wife and children raised *rolla*, which attracted persons present in the hospital, who got complainant released from the petitioner and his co-accused. It has been alleged that while going co-accused with the petitioner took away ₹50,000/- from the pocket of complainant. However, the petitioner was caught by mob at the spot.

Learned counsel for the petitioner submits that the petitioner is admittedly physically handicapped to the extent of 70% (lower limb). No

injury has been attributed to him. The veracity of statement of complainant is subject to scrutiny by the investigating agency. He was allegedly apprehended at the spot. There is nothing that any injury was caused to complainant by petitioner.

Learned State counsel submits that the petitioner was caught at the spot by the public while his co-accused succeeded in running away from the spot. Recovery of amount snatched from complainant is yet to be effected.

Taking note of above facts and keeping in view the handicap of petitioner and his arrest at the spot and further that investigation and conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Vicky @ Sonu 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 previous permission of the Court.

**September 11, 2017**  
**jk**

**( SURINDER GUPTA )**  
**JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No