

CRM-M-33884-2017 &
CRM-M-34824 of 2017

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

(1) CRM-M-33884-2017
Date of decision: 12.10.2017

Sunil @ Chinna

...Petitioner

Versus

State of Haryana

...Respondent

(2) CRM-M-34824 of 2017

Kamal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.Lekh Raj Nandal, Advocate
for the petitioners.

Mr.Gaurav Bansal, AAG, Haryana

H.S. MADAAN, J.

By this order, I shall dispose of two petitions i.e. CRM-M-33884-2017 filed by petitioner – accused - Sunil @ Chinna and CRM-M-34824 of 2017 filed by petitioner - accused - Kamal for grant of regular bail in case FIR No.24 dated 25.1.2017, under Sections 379-A/34 IPC, registered with Police Station Old Sabzi Mandi, Rohtak.

Briefly stated, facts of the case as per prosecution version are that criminal machinery was set into motion by complainant Ajay son of Dharambir Singh, resident of village Chiri, Rohtak, a student of BSC Nursing at KVM College, Rohtak, who got his statement recorded with Police Station Old Sabzi Mandi, Rohtak on 25.1.2017. Inter alia, in the said statement he narrated that on 24.1.2017 while he was going from Dayanand Math Chowk towards Supra Chowk, Rohtak talking on mobile phone and had reached near Karpal Ashram, then three boys riding a motorcycle came from behind and snatched his mobile phone of Motorola company which had JIO Sim bearing No.07015261376. During the course of investigation, accused were arrested in this case. After completion of investigation and other formalities, challan against them was filed and now they are facing trial in the Court. They are seeking regular bail.

I have given a thoughtful consideration to the rival contentions besides going through the record.

Though the accused are not named in the FIR but during the course of investigation, their participation in the crime was found to be there and mobile make Motorola snatched from the complainant was recovered from petitioner – Kamal. As per the custody certificates, petitioners – Sunil @ Chinna and Kamal are involved in several other criminal cases with details below:

FIR No.	u/Sections	Police Station
33/2017	379-A IPC	City, Rohtak
488/2016	379/34 IPC	Urban Estate, Rohtak

30/2017	379 IPC	Shivaji Colony, Rohtak
347/2016	380 IPC	Urban Estate, Rohtak

It shows that the petitioners are habitual criminals and if they are ordered to be released on bail, there is every chance of their taking to path of crime again posing danger to public piece and tranquility. The trial against them is going on, which as stated by learned State counsel is likely to be concluded very soon. The period of custody of both the petitioners is not much inasmuch as petitioner Sunil is stated to have been put behind bars on 12.5.2017, whereas Kamal, who is stated to be a juvenile is admitted in Observation Home, Hisar on 19.7.2017.

Therefore, finding no merit in the petitions, the same stand dismissed.

12.10.2017
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No