

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-4984 of 2017

Date of decision : February 23, 2017

Happy Shrivastav

....Petitioner

versus

State of Haryana

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Hitender Kansal, Advocate, for the petitioner
Mr. Munish Sharma, AAG, Haryana, for the respondent

Fateh Deep Singh, J. (Oral)

The allegations against petitioner Happy Shrivastav in this regular bail application under section 439 Cr.P.C. are that on 5.9.2016 from the person of complainant Ajay Kumar a sum of Rs 85,000/- was snatched and it was on the basis of the disclosure statement of his co-accused non-applicant-Deepak Kumar has effected arrest of the petitioner and from the possession of the petitioner Rs 20,000/- were recovered.

The contentions of the counsel for the petitioner are that the petitioner is in custody since 18.9.2016 and that the very ownership of the cash so alleged to have been recovered could not be reasonably connected with the crime though on behalf of the State bail is sought to be opposed on the allegations that the petitioner has snatched bag from the complainant along with co-accused and was not entitled to any such relief in view of the seriousness of the crime.

Appreciating the submissions, admittedly the petitioner is facing no other similar criminal case. The factum of recovery of Rs 20,000/- and its connected with the alleged incident is a matter of evidence.

Keeping in view the substantive period of incarceration and the fact that the trial is not likely to be concluded in near future, without adverting to the merits of the case, the instant application is allowed. Bail to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Ambala.

The present petition stands disposed off accordingly.

February 23, 2017
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(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?

Yes/No

Whether Reportable ?

Yes/No