

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

**CRM-M No.8253 of 2017
Date of Decision: 24.05.2017**

Sanyam @ Bhola

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Pratham Sethi, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana
for the respondent-State.

DEEPAK SIBAL J. (ORAL)

Through the present petition filed under Section 439 Cr.P.C., the petitioner seeks grant of regular bail in FIR No.06, dated 03.01.2017, registered under Section 379-A(1) IPC (Section 392 IPC added later on), at Police Station City Bhiwani, District Bhiwani.

Seeking regular bail for the petitioner, learned counsel submits that the petitioner, who is a young man of 21 years of age, has been in custody for the last over 4½ months; there is no other criminal case in which the petitioner is involved; the complainant-Dr. Sanny Singla while appearing as a prosecution witness before the trial Court has not identified the petitioner as one of the persons, who had snatched his mobile phone and his motorcycle and that since in the trial 07 prosecution witnesses remain to be examined, the same is not likely to conclude in the near future.

Learned State counsel on instructions from ASI Rajpal

Singh, does not dispute the fact that the petitioner has been in custody for

the last over 4½ months; there is no other criminal case pending against him and that the complainant while appearing as a prosecution witness has not identified the petitioner as one of the persons who robbed his articles.

Since the petitioner is a young man of 21 years of age; there is no other criminal case in which he is involved; he has already suffered incarceration of over 4½ months; the complainant while appearing as a prosecution witness has not identified him and that in the trial 07 prosecution witnesses remain to be examined, I am of the opinion that the petitioner is entitled to be enlarged on bail.

Bail to the satisfaction of the trial Court.

Nothing observed herein-above shall be considered to be an expression of opinion by this Court on the merits of the case.

If the petitioner is found indulging in any other criminal activity/misusing the concession of bail granted to him, it would be open to the State to move an appropriate application before the Competent Court/this Court for cancellation of the bail granted to the petitioner through this order.

May 24, 2017
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(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No