

In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.M-8336 of 2017

.....

Date of decision:17.3.2017

Rahul and others

...Petitioners

v.

State of Haryana

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

.....

Present: Mr. Saleem Ahmed, Advocate for the petitioners.

Mr. B.S. Virk, Deputy Advocate General, Haryana
for the respondent-State.

.....

Inderjit Singh, J.

The petitioners have filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.567 dated 26.10.2016 (Annexure-P.1) registered for the offences under Section 25 of the Arms Act, Section 379 IPC and (Section 379-B IPC, which was added later on) at Police Station Punhana, District Mewat.

Notice of motion to Advocate General, Haryana.

Mr. B.S. Virk, learned Deputy Advocate General, Haryana has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioners as well as learned Deputy Advocate General, Haryana appearing for the respondent-

State and have gone through the record.

From the record, I find that as per the allegations in the FIR, after receiving the SMS and phone call, the complainant along with his colleague went to Village Punhana and then their client directed them to come to Nasirpur. As per the allegations, when a boy was taking them to Nasirpur on motorcycle, then two other boys stopped the motorcycle and pointed guns at them and took them into the fields where two other boys were sitting. All of them snatched their purse, mobiles, laptop, credit cards, ATM card etc., detained them on the gun point and extracted the passwords of their debit cards and credit cards. They withdrew money from their ATM and thereafter returned the credit cards and debit cards and two mobile phones to them and dropped them on the road.

Learned State stated that ₹1,000/- have been recovered from each of the co-accused. The petitioners have been in custody since 5.11.2016. They are not required for interrogation or investigation purposes as they are in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioners in custody till the final disposal of the case. Mustafa-co accused of the petitioner has already been released on bail vide order dated 2.3.2017 passed by this Court in Criminal Misc. No.M-6524 of 2017. On parity also, the petitioners are entitled to the benefit of bail.

Therefore, keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal

[3]

miscellaneous petition is allowed and the petitioners are ordered to be released on bail subject to their furnishing personal bonds in the sum of ₹50,000/- each with one surety each in the like amount to the satisfaction of the trial Court/Duty Magistrate.

March 17, 2017.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No