

Crl. Misc. No. M-28644 of 2018

Date of Decision: September 06, 2018

Ballu

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTALPresent: Mr. Namit Sharma, Advocate
for the petitioner

Mr. D.R. Singla, DAG Haryana

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 969 dated 17.09.2017 under Sections 379-B, 392 IPC registered at Police Station City Karnal.

The allegations in the FIR are that the petitioner and his co-accused waylaid a motorcycle at about 2.00 a.m. on the grain market fly-over Karnal and robbed motorcyclists of their mobile phones and cash of Rs. 2300/-.

Learned counsel for the petitioner submits that the petitioner has been in custody since 17.10.2017. He is not named in the FIR and that a false case has been foisted upon the petitioner as it is not possible to read number of car at 2.00 a.m. in the morning when there is darkness all around. The co-accused Taljinder Singh @ Shunty has been granted regular bail vide order dated 28.05.2018 passed in CRM-M-13390-2018 and, thus, the petitioner be also granted regular bail.

The prayer is opposed by learned State counsel on the ground that mobile phones snatched from the complainant were recovered from the petitioner and that there are six other cases pending against him, out of which two are under Section 379 IPC. It is also submitted that the role of the petitioner is distinguishable

made from said Taljinder Singh @ Shunty.

A perusal of the order dated 28.05.2018 passed in CRM-M-13390-2018 shows that bail was granted to him primarily because no recovery had been effected from him. Thus, the role of Taljinder Singh @ Shunty is distinguishable from the role of the petitioner. He is named in six other cases, out of which in two he is involved in offences of theft and, thus, it can not be ruled out that after bail is granted to him he may involve himself in similar activities. Thus, I do not deem it appropriate to grant regular bail to the petitioner.

Learned State counsel submits that out of 8 PWs, 2 have been examined and 4 PWs have been summoned for the next date of hearing.

The petition is dismissed.

However, the trial Court is directed to expedite the trial.

September 06, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No