

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No. 30198 of 2017 (O&M)

Date of decision : 7.2.2018

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Jahul

.....Petitioners

vs.

State of Haryana

.....Respondents

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Keshav Partap Singh, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General,
Haryana.

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H. S. Madaan, J. (Oral)

This application for regular bail has been filed by petitioner – Jahul, an accused in FIR No.554 dated 26.9.2016 for offences under Sections 341, 342, 365, 395, 397, 384 IPC and Section 25 of Arms Act, registered at Police Station Sohna, District Gurugram.

FIR was lodged on the basis of a written complaint submitted by complainant Ajay Mangla s/o Hukam Chand Gupta, r/o House No. 1210, Sector 4, Urban Estate Gurgaon, wherein he stated that on 25.9.2016, he alongwith his father Hukam Chand Gupta, his cousin brother Gaurav Goyal and driver Manoj Kumar were returning to Gurugram from Vrindavan (Mathura), in his Innova car bearing

registration No. HR-55S-9189. At about 11.20 P.M. when their said vehicle reached near a culvert being constructed at Palwal-Sohna road, near to Sohna City, in the meanwhile a Bolero vehicle of white colour with letters A/F written on the number plate came from behind and had got stopped in front of their car. Eight persons alighted from there, six of them were having weapons. Four persons came to their car and snatched it by threatening the driver with weapons. Two persons out of them sat in their Innova car on front seat, two on the back seat and the vehicle was taken towards Nuh. On the way mobile phones of complainant were snatched, besides a golden ring and watch, in addition to that credit cards, currency notes etc. were also snatched. Certain items were snatched from father of the complainant and his cousin brother also. Thereafter, the complainant alongwith relatives were put in the Bolero car, whereas Innova car of the complainant was driven away. The complainant and his relatives were locked in a room. Ransom was demanded. Thereafter, they were taken to another village in their own Innova car.

After recording of the formal FIR, four of the accused were arrested in this case, which included accused Jahul, who was arrested on 10.10.2016. After completion of the investigation, such four accused have been sent up to face trial.

The present application for regular bail has been filed on behalf of Jahul.

Learned Counsel appearing for such petitioner submits that the petitioner is not named in the FIR. Furthermore, he does not have

any criminal past and no test identification parade was arranged by the Investigating Agency in this case, so as to get the accused identified from the eye witnesses. Most of the material witnesses have since been examined, as such he be granted regular bail.

Whereas, learned State counsel has opposed the petition submitting that though the petitioner is not named in the FIR, but all the witnesses have identified him in the Court being one of the culprits and furthermore recovery of Samsung mobile, 8 sarees and 6 idols have been effected from him. In that way he stands connected with the incident. He submits that out of 24 PWs cited by the prosecution, 10 PWs have already been examined. In that way, the trial is going to be completed in near future. Therefore, the petition may not be allowed.

After hearing rival contentions of the parties, I find that keeping in view gravity of allegations, no case for grant of regular bail to the petitioner is made out.

However, a direction is issued to the trial Court to conclude the trial expeditiously by giving short adjournments, preferably within a period of three months from the date of receipt of a copy of this order in the Court.

Disposed of accordingly.

7.2.2018
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No