

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND  
HARYANA AT CHANDIGARH**

**CRM-M-31265-2018  
Date of decision: 31.07.2018**

**Mandeep**

**...Petitioner**

**Versus**

**State of Haryana**

**...Respondent**

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. N. S. Shekhawat, Advocate  
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

**ARVIND SINGH SANGWAN, J. (Oral)**

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 209 dated 01.11.2017, registered under Sections 379-B, 506 and 34 of the IPC at Police Station Loharu, District Bhiwani.

Learned counsel for the petitioner submits that as per the allegations in the FIR, the complainant was present in his business premises when three unknown persons came on a motorcycle and, by giving slap and fist blows to him, snatched Rs. 2,000/- from his pocket and a mobile phone and thereafter, they ran away.

Learned counsel for the petitioner further submits that it is mentioned in the FIR that the entire occurrence was recorded in the CCTV camera installed in the premises/restaurant of the complainant, however, the police has not recovered any such evidence. It is further submitted that the challan has already been presented and charges have been framed. Learned counsel for the petitioner further submits that in fact the petitioner was

arrested in an earlier FIR No. 11 dated 20.01.2018 and during investigation in the said FIR, on the basis of the disclosure statement of the petitioner, he was involved in the present case and recovery of only Rs. 300/- was made in pursuance thereof.

Learned State counsel, on instruction from ASI Rajbir Singh, has submitted that co-accused Vikas has made similar statement, in pursuance of which, recovery of mobile phone was effected. Learned State counsel has not disputed the fact that CCTV footage is not the part of the report filed under Section 173 Cr.P.C.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the facts that the petitioner is in judicial custody for last about three months; charges have been filed and also in view of the fact that the conclusion of the trial is likely to take some time, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail bonds and two sureties to the satisfaction of the trial Court/Duty Magistrate concerned.

**July 31, 2018**

*Waseem Ansari*

**(ARVIND SINGH SANGWAN)  
JUDGE**

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*