

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

207

CRM-M-35523-2017

Date of Decision: February 22, 2018

Rajiv @ Raju

.....Petitioner(s)

versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Robin Singh Hooda, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in FIR No.464, dated 08.12.2016, under Sections 392, 397, 379-B, 411, 212, IPC and Section 25 of the Arms Act, 1959, registered at Police Station Murthal, District Sonipat.

2. The prosecution case is that the petitioner and his co-accused way laid the complainant when he was on his way to his factory and robbed him of cash of ₹ 3,000/- and two mobiles phones. The car, in which the complainant was travelling, was also snatched. All this was done at gun-point.

3. Learned counsel for the petitioner submits that the petitioner has been in custody since 12.12.2016. The investigation is complete and challan has

already been presented. Moreover, the complainant has also been examined, who has turned hostile. He further submits that there is no other case registered or pending against the petitioner.

4. Learned State counsel, on instructions from ASI Mukesh Kumar, submits that the cash, mobile phones as well as the car were recovered from the petitioner. Country made pistol 32 bore alongwith two live cartridges of same bore were also recovered from him. Thus, he submits that the petitioner does not deserve the concession of regular bail. However, it is not disputed that the complainant has turned hostile during trial.

5. Keeping in view the entirety of facts and circumstances of the case and also that the petitioner has been in custody since 12.12.2016, no useful purpose would be served by keeping him in custody indefinitely. The investigation is complete and ten out of twenty one prosecution witnesses have been examined but completion of trial may still take some time.

6. In view of the above, the petition is allowed. The petitioner Rajiv @ Raju is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of learned trial Court concerned at Sonipat.

7. Petition stands disposed of.

February 22, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned :	Yes/No
Whether Reportable :	Yes/No