

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

CRM-M-36838-2018

Date of decision:30.08.2018

Ramphal

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Yashveer Kharb, Advocate
for the petitioner.

Mr. Sandeep Vashisht, DAG, Haryana.

GURVINDER SINGH GILL, J. (ORAL)

The petitioner seeks grant of regular bail in a case registered vide FIR No.9 dated 13.01.2018 under Sections 395 and 397 of Indian Penal Code, 1860 Police Station GRP Panipat, Ambala Cantt. District Ambala Cantt.

The FIR was registered at the instance of one Ajay Kumar who alleged that on the day of occurrence when he was traveling by a train i.e. Amrapali Express from Amritsar to Katihar and when the train reached near the Railway Station, Karnal, then 5/6 boys started looting

him and when he protested, then one of the boys attacked him and caused injuries to him on his middle finger and small finger of his left hand and his wallet containing ₹4,100/-, AADHAR card, two photographs, two ATM cards were snatched. It is also alleged that a mobile phone was also snatched from his associate Dharampal apart from an amount of ₹5,000/- and an identity card. It is alleged that after looting, the said persons alighted from the train by pulling the chain.

Notice of the petition was issued to the respondent-State. Learned State counsel has opposed the petition and prayed for dismissal of the same.

Learned counsel for the petitioner has submitted that in the present case challan has already been presented and in fact the complainant as well as star eye-witness Dharampal both have resiled from their earlier statements recorded under Section 161 Criminal Procedure Code, 1973 and have not supported the case of prosecution regarding the alleged altercation and regarding the alleged snatching.

The above mentioned position has not been disputed by learned State counsel. It has also been informed that the petitioner has been behind bars since last seven months.

Having regard to the abovesaid facts and circumstances, especially bearing in mind the fact that the complainant as well as star eye-witness have not supported the case of prosecution and the petitioner has already been behind bars since last more than seven months, in my opinion, no fruitful purpose would be served by further detaining the petitioner behind bars. Accordingly, petitioner-Ramphal is ordered to be

released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, Panipat.

This petition stands accepted accordingly.

30.08.2018
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**