

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No. 38707 of 2017 (O&M)

Date of decision : 24.1.2018

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Vijay Singh and another

.....Petitioners

vs.

State of Haryana

.....Respondent

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

Present: Mr. Gaurav Grover, Advocate for the petitioners

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

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H. S. Madaan, J.

This petition for regular bail has been filed by petitioners – Vijay Singh and Joga Singh, both them being accused in FIR No. 650 dated 9.8.2017, for offence under Sections 379-A IPC, registered at Police Station City Sirsa, District Sirsa.

Briefly stated, facts of the case as per prosecution story are that on 8.8.2017 at about 8.20 P.M. complainant Sapna d/o Om Parkash, r/o Massa Singh Aare Wali Gali, Thehard Mohalla, Sirsa, was returning home from her work on her Scooty and when she had reached Jandi Wali Gali, Sirsa, a motorcycle having two riders came from behind and they snatched her purse, which was slung on her shoulder. The purse contained an amount of Rs.5,000/- in cash and two mobile phones having numbers 9068026347 and 7015449886,

having IMI No. as 517021458021201701.

The matter was reported to the police. Formal FIR in question was registered. The accused were arrested in this case on 16.9.2017. A mobile phone of MI Gold, Rs.1,200/- and motorcycle bearing registration No. HR-24-E-4480, were got recovered by accused Vijay Kumar, whereas a mobile Samsung and Rs.1,400/- were got recovered by accused Joga Singh. Both the accused demarcated the place of incident. They had filed an application for grant of regular bail in the Court of Sessions, which was dismissed by Additional Sessions Judge, Sirsa, vide order dated 4.10.2017, as such they have approached this Court craving for grant of similar relief, by filing the present petition, which request is being is being opposed by the State counsel.

I have heard learned counsel for the petitioners, learned State counsel, besides going through the record.

As regards the contentions raised by learned counsel for the petitioners that the petitioners are not named in the FIR and the registration number of the motorcycle is not mentioned therein, no details of the features of the assailants have been given and that the recoveries have already been effected and further that the conclusion of the trial is likely to take some time, as such they be granted bail, those have failed to convince me. Merely because the petitioners are not named in the FIR and their features are not given etc., do not make their participation in the incident doubtful. The other contentions also lack merit.

As per the prosecution story, after being arrested, both the

accused had got the recovery of some of the snatched articles effected i.e. a mobile of MI Gold, Rs.1,200/- by Vijay Singh and a Mobile Samsung and Rs.1,400/- from Joga Singh and the complainant had identified those mobile phones which had been snatched by the accused-petitioners. Therefore, they are clearly connected with the occurrence. In addition to that, both of them are stated to have demarcated the place of incident.

The cases of snatching are increasing day by day and it is difficult for people to move on the road with a sense of safety. Womenfolk are especially vulnerable. Such type of incidents cannot be taken lightly lest that should result in similar acts being repeated with more frequency. There is reasonable apprehension of the petitioners taking to path of crime again and indulging in such type of incidents, if granted bail, leading to breach of peace and tranquillity in the society. The apprehension by State counsel that if the petitioner is granted bail, there is every likelihood of his absconding and even tampering with the prosecution evidence, cannot be brushed aside lightly.

Thus no ground for grant of bail is made out. As such the petition stands dismissed.

(H.S. Madaan)
Judge

24.1.2018

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Whether speaking / reasoned

Yes / No

Whether reportable

Yes / No