

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

1. CRM-M-42649-2018

Ajay @ Raju

... Petitioner

Versus

State of Haryana

... Respondent

2. CRM-M-43124-2018

Roopak

... Petitioner

Versus

State of Haryana

... Respondent

Date of decision : 14.11.2018

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.Ramnish Puri, Advocate in CRM-M-42649-2018 &
Mr.Ram Pal Verma, Advocate in CRM-M-43124-2018
for the petitioners.

Mr.Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J.(ORAL)

This order shall dispose of ***CRM-M-42649-2018*** titled as "***Ajay @ Raju vs. State of Haryana***" and ***CRM-M-43124-2018*** titled as "***Roopak vs. State of Haryana***".

The facts are being taken from ***CRM-M-43124-2018*** titled as "***Roopak vs. State of Haryana***".

FIR no.243 dated 08.06.2018 under Section 379-A IPC

(Sections 201, 148, 149 IPC added later) was registered at Police Station

Kharkhoda, District Sonipat at the behest of Anil Ravidass, who was serving as a driver of Hiva vehicle no.HR-69C-4966 owned by Parmod Kumar Sherawat. On 08.06.2018 at about 1.30 a.m., when the complainant was coming to village Mandera after filling earth from village Mandari and has reached near breaker of this village, four persons came in front of his vehicle in swift car. After stopping their car in front of Hiva vehicle, the accused asked the complainant as to whether he (complainant) has taken any permission for carrying earth in the vehicle. The complainant has replied that permission if any is with the owner as he is only a driver on the vehicle. Out of these persons (accused) one person came out from the car and he caught hold the complainant and took him in his car, whereas the second person has taken away Hiva vehicle. The complainant was dropped near village Rathdhana after taking away his phone. The accused thereafter went away.

Counsel for the petitioners state that the petitioner Roopak is in custody since 30.07.2018 whereas Ajay @ Raju is in custody since 30.06.2018. The trial in the case is likely to take long time as prosecution evidence is yet to be started.

Learned State counsel has argued that allegation against the petitioners are serious. On instructions from SI Birender Singh, he submits that though there is no other case registered against the petitioner 'Roopak', however Ajay @ Raju, the other petitioner is involved in other case also. He further states that recovery of Hiva vehicle was effected from Ajay @ Raju for which DDR has been registered in Delhi.

I have heard learned counsel for the parties.

Considering the fact that the trial still take sufficient long time

as no prosecution evidence has yet been started, this Court finds that the petitioners deserve to be admitted on bail during pending trial.

Since the petitioners are not residents of the State of Haryana, they would be released on bail only subject to furnishing their bail bonds with heavy local sureties to the satisfaction of the trial Court. The trial Court may put any other reasonable condition as he/she may deem fit.

The petitioners shall not cause delay in the trial and shall not influence the witnesses in any manner.

(HARI PAL VERMA)
JUDGE

November 14, 2018.

D.K.

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No