

**218 IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM-M-42661-2018
Date of decision: 03.10.2018

Sonu @ Moto @ Rohtas

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. S.K.Jindal, Advocate for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 439 Cr.P.C., petitioner-Sonu @ Moto @ Rohtas, has prayed for grant of regular bail in case FIR No.987 dated 16.09.2017 registered under Sections 323, 506 read with Section 34 IPC at Police Station Panipat City, District Panipat.

2. Mr. Ishan Sharma, Advocate has put in appearance on behalf of the complainant on his own, though, he has not been impleaded as party and filed power of attorney in Court today, which is taken on record.

3. According to the prosecution, in the day time of 12.09.2017, petitioner along with three co-accused with muffled faces while coming in a swift car, obstructed the motorcycle of complainant Sucha Singh and caused injuries to him with their respective weapons like spade and dandas. As a result thereof, complainant fell down from his motorcycle. The petitioner and his accomplice took away ₹ 75,000/- from the pocket of the complainant after extending threat of dire consequences to him.

4. Learned counsel for the petitioner *inter alia* contends that

complainant has turned hostile and has not supported the prosecution case. Therefore, prima facie no case is made out against him. The petitioner is in custody since 23.05.2018. Conclusion of trial may take a long time. No useful purpose would be served by detaining the petitioner in jail. Out of 13 FIRs registered against the petitioner, he has been acquitted in 10 cases and only in three cases, the petitioner is facing trial.

5. Learned counsel for the complainant submits that he has no objection if bail is granted to the petitioner.

6. Learned State counsel did not dispute the aforesaid fact, but simply pointed out that till date 13 FIRs of serious nature have been registered against the petitioner.

7. In view of the totality of the facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner-Sonu, is ordered to be released on bail pending trial, on his furnishing appropriate bail bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

03.10.2018
sonia

(**RAMENDRA JAIN**)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No