

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

CRM-M-44623-2018
Date of decision: 10.12.2018

Roni @ Aryan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Ravinder Phogat, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 240 dated 15.04.2018, registered under Section 392, 397 and 34 of the IPC and Section 25 of the Arms Act, 1959, at Police Station Sadar Bhiwani, District Bhiwani.

Learned counsel for the petitioner submits that as per the allegations in the FIR, three persons have booked the car of the complainant on rent from Hansi to Tosham and thereafter, on the way, they asked the driver/complainant to stop the car and snatched his car and mobile phone.

Learned counsel for the petitioner further submits that nothing was recovered from the petitioner and recovery of the car was effected from co-accused Ravinder.

It is further submitted that petitioner is not involved in any such or similar case except in an FIR bearing No. 269 dated 15.05.2018, registered under Sections 323, 324, 452, 506, 148 and 149 of the IPC at

Police Station City, District Bhiwani, in which, he is on bail.

Learned counsel for the petitioner further submits that petitioner is in judicial custody since 02.06.2018 and the trial is likely to take some time. It is further submitted that despite issuance ofailable warrants, the complainant is not appearing before the trial Court and the trial is being delayed.

Learned State counsel, on instructions from ASI Rajender Singh and on the basis of the custody certificate, filed in Court today, has not disputed the factual position and submitted that out of total 12 prosecution witnesses, 04 have been examined so far and the case is now fixed for 07.01.2019.

I have heard learned counsel for the parties.

Without commenting anything on the merits of the case, considering the fact that petitioner is in judicial custody since 02.06.2018 and it will take a long time in conclusion of the trial as out of total 12 prosecution witnesses, only 04 witnesses have been examined so far, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

December 10, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No