

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-47972-2018
Date of Decision: 02.11.2018

Ravi @ Rabbo @ Ravit

...Petitioner

vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr.P.S.Sullar, Advocate,
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

Mr. Vijay Sangwan, Advocate
for the complainant.

ARVIND SINGH SANGWAN,J

Prayer in this petition is for grant of regular bail to the petitioner in case FIR No. 322 dated 23.06.2018 under Sections 395, 120-B IPC and Sections 25/54/59 of the Arms Act registered at Police Station Mahendergarh, District Mahendergarh.

Counsel for the petitioner submits that the present FIR has been registered at the instance of Vikas, on the allegations that on 21.06.2018, he alongwith one Uday and Sunder were going in their car and he (Vikas) was carrying Rs.3 lacs when 08 persons came in another car and a motorcycle, the numbers of which were covered with mud and those persons, by pointing a pistol on his ear, snatched Rs.3 lacs from him. Mobile phone of the complainant as well as of Uday were also taken by them. In the FIR, it is further stated that one of the boy, namely, Himmat was also known to the complainant and rest of the boys can be identified if brought in front of him and his companion Uday and Sunder.

Counsel for the petitioner further submits that subsequent to the registration of the FIR, the police recorded the disclosure statement of Himmat and on his disclosure statement, the name of the petitioner surfaced and he was involved in the FIR.

Counsel for the petitioner has relied upon the affidavits of Vikas and two other victims i.e. Uday and Sunder, who were cited as prosecution witnesses (Copy annexed as Annexure P2 (colly)) to submit that all the three persons have stated that petitioner-Ravi @ Rabbo @ Ravit alongwith other co-accused were not involved in the incident and Vikas had only given the name of one Himmat on the basis of his doubt and the petitioner has not committed the offence.

Learned State counsel, on instructions from ASI Surender Singh, and assisted by learned counsel for the complainant, has not disputed that the aforesaid three persons have given affidavits in favour of the petitioner. He, however, submitted that an amount of Rs.4,000/- was recovered from the petitioner, as per his own disclosure statement.

Without commenting anything on merits of the case, considering the fact that the complainant as well as two other prosecution witnesses have sworn affidavits that the petitioner was not involved in the alleged incident, the present petition is allowed. The petitioner is directed to to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned, as he is not involved in any other case except the present FIR.

02.11.2018
smriti

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No