

215 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49472-2018 (O&M)

Date of decision:16.11.2018

Mohit

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Lakshay Bajaj, Advocate
for the petitioner.

Mr. Karan Sharma, AAG, Haryana.

RAJBIR SEHRAWAT, J. (ORAL)

Prayer in this petition filed under Section 439 of Cr.P.C. is for grant of bail pending trial in case FIR No.179 dated 18.08.2018 under Sections 379-B, 34 of IPC, registered at Police Station Sadar Panipat.

Learned counsel for the petitioner contends that the allegation in the FIR is against two unknown boys, who stopped the motorcycle of the complainant and snatched the motorcycle as well as Rs.2,000/- from the complainant. The name of the petitioner has been mentioned as the person who ran away from the spot. Therefore, even as per the FIR, there are no allegation against the petitioner qua snatching anything. It is further contended that the petitioner is in custody since 04.09.2018. Challan has already been filed. However, charge has not been framed in this case. Therefore, the trial has not been started. The trial shall take a long time.

On the other hand, learned State counsel, being instructed by ASI Mukesh Kumar, submits that the recovery of Rs.500/- has been affected from the present petitioner. However, he has not disputed that the petitioner is in custody since 04.09.2018 and the challan in this case has already been

presented, however, the trial has not been started.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

16.11.2018
Hemlata

Whether speaking/reasoned	Yes / No
Whether reportable	Yes / No