

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

**CRM-M No. 54288 of 2018
Date of Decision:-13.12.2018**

Rohit @ Chela

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Gourav Jain, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.82 dated 28.7.2018, under Sections 379-A and 411 IPC (added later on), Police Station GRP, Hisar, during pendency of the trial.

The petitioner is in custody since the date of arrest i.e. 30.8.2018.

The FIR was registered on the allegations that some unknown person had snatched the mobile phone from the complainant in a moving train and escaped by jumping from the train. The occurrence took place on 27.8.2018. After registration of the case, the investigation was carried and

the alleged mobile phone was recovered on 30.8.2018 from the petitioner.

Learned counsel for the petitioner has contended that he has been falsely implicated in this case as the phone in question was used by one Sukhpal after the alleged snatching.

Learned State counsel on instructions from ASI Naresh Kumar, Police Station GRP, Hisar, has not disputed this fact that after this occurrence on 27.7.2018, the phone in question was with one Sukhpal and was operational w.e.f. 02.8.2018 to 06.8.2018. It is also not disputed that the alleged phone was never used by the petitioner. The investigation of the case is complete and challan has been filed on 22.10.2018. The trial has commenced and two prosecution witnesses have already been examined.

Considering the fact that investigation of the case is complete and the trial has commenced, without commenting anything upon merits of the case and considering the custody and status of the trial, the petitioner, namely, Rohit @ Chela is admitted to regular bail subject to his furnishing the requisite bail bonds and surety bonds to the satisfaction of the concerned trial Court.

The petition is allowed.

December 13, 2018
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No