

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

CRM-M-55728-2018 (O&M)

Date of Decision:-20.12.2018

Imran

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Akshay Kumar Jindal, Advocate for the petitioner.

Mr. Ashok Singh Choudhary, Addl. Advocate General, Haryana.

GURVINDER SINGH GILL, J.(Oral)

By way of filing this petition, the petitioner seeks grant of regular bail in respect of a case registered vide FIR No.275 dated 17.8.2018 registered at Police Station City Sohna, District Gurugram under Sections 379-B, 342 and 506 of Indian Penal Code, 1860 and Section 25 of Arms Act.

The allegations, in nutshell, are that the petitioner alongwith Asif, Mustkim and Javed had hatched a conspiracy and offered to sell a 'Swift Car' online through OLX app. and when the complainant Jalam Singh contacted them a sale price of ₹1.80 lacs was quoted and the complainant was asked to come to Sohna alongwith money. It is alleged that when the complainant Jalam Singh and his friend Rupa Ram went to Sohna on 15.8.2018 alongwith an amount of ₹1.80 lacs, the accused snatched the said amount on gun point from the complainant and also snatched another amount of ₹10,000/-, which Rupa Singh was carrying.

The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that in any case

investigation is already complete and further detention of the petitioner is not required.

On the other hand, the learned State counsel has informed that it was from the petitioner that a pistol was recovered and in these circumstances his complicity in the entire case is evident and thus no case for grant of bail is made out.

Having considered rival submissions addressed before this Court and without commenting upon merits of the case and while bearing in mind the fact that the petitioner has been behind bars since the last more than four months and till date not even a single prosecution witness out of 18 cited prosecution witnesses has been examined, in my opinion, no useful purpose will be served by detaining the petitioner behind bars any further. The petition, as such, is accepted. The petitioner Imran is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

This present petition stands accepted accordingly.

20.12.2018

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No