

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

CRM-M No.18430 of 2019
DATE OF DECISION : 6th SEPTEMBER, 2019

Virender

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Mr. Dinesh Saini, Advocate for the petitioner.

Mr. M. K. Sangwan, Deputy Advocate General, Haryana.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of bail pending trial in case FIR No.23 dated 08.01.2019 registered under Section 393 IPC and Section 25 of the Arms Act at Police Station City Hansi, District Hansi.

It is contended by counsel for the petitioner that the case against the petitioner is totally concocted. Even as per the story put up by the complainant, the petitioner had neither snatched anything from any person, nor had he caused any injury to anyone. Since the incident has never happened, therefore, the complainant has tried to allege a case of attempt of committing offence, in which nobody is alleged to have suffered any loss. It is further contended that the petitioner is in custody since 08.01.2019. The evidence in the case has already started. Therefore, the petitioner is not required for any investigation purposes. It is further submitted that there is no other case against the petitioner.

On the other hand, counsel for the State being instructed by SI Raj Kumar, submits that the petitioner is involved in a heinous crime of making attempt to extort money from the business establishment. However, it is not disputed that in this incident; neither anybody was injured nor anything was taken away by the petitioner or is co-accused. It is also not disputed that there is no other case against the petitioner and that the petitioner is in custody since 08.01.2019.

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.

6TH SEPTEMBER, 2019
'raj'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>