

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

1. CRM-M-18068-2019

Anil

...Petitioner

Versus

State of Haryana

...Respondent

2. CRM-M-23153-2019

Pardeep Kumar

...Petitioner

Versus

State of Haryana

...Respondent

Date of decision: 24.07.2019

CORAM:- HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. B. S. Jatana, Advocate
for the petitioner in CRM-M-18068-2019.

Mr. A. D. S. Jatana, Advocate
for the petitioner in CRM-m-23153-2019.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This common order shall dispose of above noted two petitions
as they arise out of the same FIR.

These petitions have been filed under Section 439 of the Code
of Criminal Procedure for grant of regular bail to petitioners Anil and

Pardeep Kumar in case FIR No. 14 dated 14.02.2019, registered under Sections 379, 420, 511 of the IPC at Police Station Satnali, District Mahendergarh.

Learned counsel for the petitioners submit that as per the allegations in the FIR, registered at the instance of complainant Anil Kumar, it is stated that when he was withdrawing some money from the ATM, he failed and in that process, he gave his ATM card to petitioner Anil who was standing nearby him but the amount could not be withdrawn. It is further stated that by replacing the ATM card of the complainant with another ATM card, the petitioners started running away and the complainant, with the help of one Dharamvir, apprehended them and recovered his ATM card.

Learned counsel for the petitioners further submit that the offences are triable by the Court of a Magistrate and the petitioners are in judicial custody since 15.02.2019 and the conclusion of the trial is likely to take a long time.

Learned State counsel, on instructions from HC Vinod Kumar on the basis of the custody certificates filed in Court today, has not disputed the factual position and submitted that charges are yet to be framed.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the facts that the petitioners are in judicial custody since 15.02.2019; they are not involved in any other case and also in view of the fact that conclusion of the trial is likely to take a long time being magisterial trial, the instant petitions are allowed. Petitioners Anil and Pardeep Kumar are ordered to be released on regular bail on their furnishing bail/surety bonds

to the satisfaction of the trial Court/Illaqa Magistrate concerned.

A photocopy of this order be placed on the file of other connected case.

July 24, 2019

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No