

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

232

CRM-M-28556-2019 (O&M)
Decided on: October 22, 2019.

HARI PARKASH

.... Petitioner

Versus

STATE OF HARYANA

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Parminder Singh, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

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HARINDER SINGH SIDHU, J.

In the instant petition, petitioner has sought regular bail in FIR No. 731 dated 04.12.2015 under the provisions of Sections 356, 379-A, 34 IPC, registered at Police Station Samalkha, District Panipat.

Brief facts of the case are that on 04.12.2015 one youngster riding on a motorcycle snatched the gold *chain* from the neck of the complainant. Initially, un-traced report dated 23.02.2016 was prepared as none of the accused was identified and apprehended in the present case.

The petitioner was arrested in an another case FIR No. 232 dated 29.04.2019 under Sections 25 of the Arms Act, 1959 registered at Police Station Samalkha, District Panipat and due to the alleged disclosure statement with regard to the present confession by the petitioner, his arrest was made in the present case on 30.04.2019 and recovery of ₹20,000/- was

also allegedly got effected from him, which is alleged to have been received after disposing of the gold chain.

Learned counsel for the petitioner states that the complainant while deposing before the trial Court could not identify the petitioner as the person who had snatched the gold chain from the neck of the complainant.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody since 30.04.2019; he is the first offender and not involved in any other case and conclusion of the trial is likely to take some time, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any matnner.

(HARINDER SINGH SIDHU)
JUDGE

October 22, 2019
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No