

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

**CRM-M No. 32552 of 2019
Date of Decision:-03.12.2019**

JITENDER @ CM

.....Petitioner

V/S

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Sandeep Kumar Yadav, Advocate
for the petitioner.

Mr. Arjun Singh Yadav, Asst.AG Haryana
for the respondent-State assisted by
ASI Sheh Lata, PS City Narnaul.

ARUN KUMAR TYAGI,J. (ORAL)

The petitioner has filed present petition under Section 439 of the Code of Criminal Procedure, 1973 (for short 'the Cr.P.C') for grant of regular bail in case FIR No. 88 dated 02.02.2019 registered under Sections 148, 149, 323, 365, 379-B and 506 of the Indian Penal Code, 1860 (for short 'the IPC') at Police Station City Narnaul, District Mahendergarh.

Learned Counsel for the petitioner has submitted that complainant-Hitesh is alleged to have been abducted by Bharat @Munna, Mahesh @ Hafta, Parveen Kumar and Anish @ Kobra in Balero vehicle which was followed by another vehicle occupied by petitioner-Jitender @ CM and three other persons. Injuries were allegedly caused to complainant-Hitesh and amount of Rs. 4300/- and his mobile phone were allegedly snatched. No specific role has been attributed to the petitioner. Injuries caused to the complainant are not specifically attributed to him. No recovery was made from his possession. The petitioner is in custody since

28.03.2019. Trial is likely to take long time. No useful purpose will be served by keeping him in custody during trial. Therefore, the petitioner may be ordered to be released on regular bail.

On the other hand, learned State Counsel has submitted that the petitioner is accused of having committed serious offences along with his co-accused. The petitioner was also involved in two other cases (FIR No. 168 dated 10.04.2018 registered under Sections 307 read with Section 34 of the IPC and 25 of the Arms Act, Police Station City Narnaul and FIR No. 130 dated 21.03.2018 registered under Sections 395, 397, 452 and 120-B of the IPC and Section 25 of the Arms Act, Police Station City Narnaul). The petitioner does not deserve the concession of regular bail and the petition may be dismissed.

Learned Counsel for the petitioner has placed on record copies of judgment dated 28.03.2019 and 24.07.2019 respectively passed in the above said cases to show that the petitioner has been acquitted in both the above said cases.

Keeping in view the facts and circumstances of the case particularly the facts that general and vague allegations have been made without attribution of any specific role to the petitioner, the petitioner, who was acquitted in both the cases registered against him, is not involved in any other case and also the fact that trial is likely to take long time and no useful purpose will be served by detaining the petitioner in custody during trial but without commenting on merits, I am of the considered view that the petitioner deserves the concession of regular bail. Therefore the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of bail bonds by him to the satisfaction of the Trial Court/Chief

Judicial Magistrate, Narnaul.

However the bail is granted subject to the condition that the petitioner will not commit any offence of similar nature and in case of commission of any offence of similar nature by the petitioner, the bail in the present case shall also be liable to be cancelled on filing of application in this regard.

03.12.2019

Rajeev (rvs)

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No