

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

226

CRM-M-36674-2019 (O & M)
Date of Decision:18.09.2019

Anand

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sachin Kaushik, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.29 dated 22.01.2019, under Section 379-B IPC (Sections 392, 397 and 120-B IPC added later on) and Section 25 of the Arms Act, 1959, registered at Police Station Kharkhoda, Sonapat, District Sonapat.

The FIR was registered on the statement of Ashok son of Radhakrishan with the allegations that on 22.01.2019, when he left home on scooty then three boys stopped him and one of them was armed with pistol. Due to fear complainant fell down and ran away. Then accused persons took away his scooty in which one bag containing cash of ₹30,000/- was kept.

Learned counsel the petitioner contends that as per the prosecution itself, the vehicle was left by the complainant and the same was

not taken away by any of the accused as the vehicle was found abandoned. He further contends that all the other co-accused have been released on bail and, therefore, further custody of the petitioner may not be justified. He has placed reliance upon the order passed by this Court in respect of Sudarshan @ Mohit, who was released on bail on 22.08.2019.

On the other hand, bail application is opposed by learned State counsel, who is assisted by ASI Naresh on the ground that the case of the petitioner is distinguishable from the co-accused Sudarshan as the concession was extended to him on the ground that he was not one of those assailants who had actually committed the snatching.

At this stage, learned counsel for the petitioner has produced the bail orders in respect of co-accused namely Jitender @ Kala, Raja @ Talbir Singh and Surender @ Baba, who have already been released on bail in September, 2019 by the Additional Sessions Judge, Sonapat.

Considering the above background and the fact that the investigation of the case is complete and the trial is likely to take some time, further detention of the petitioner may not be justified. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

18.09.2019
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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No