

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

224

CRM-M-39148-2019(O & M)
Date of Decision:29.10.2019

Banti

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Shakti Mehta, 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.27 dated 07.03.2019, under Section 379-A IPC, 1860, registered at Police Station Sector 20, Panchkula, Haryana. Petitioner is in custody since his arrest on 28.03.2019.

The FIR was registered on the complaint made by Smt. Lalita Sharma, who has stated that on 05.03.2019 at about 10.00 pm when she was returning to her home after purchasing vegetables then two persons came from behind on motorcycle and snatched her bag which contained her mobile phone along with ₹5,000/- cash.

Learned counsel for the petitioner submits that only 04 out of 15 prosecution witnesses have been examined including the complainant.

He submits that the alleged mobile phone and purse of the complainant was

recovered from Om Parkash, who was found to be using the said mobile phone and on his disclosure, petitioner was indicted as an accused on the ground that the mobile was purchased from him, therefore, further custody of the petitioner may not be justified.

On the other hand, learned State counsel assisted by ASI Dhoom Singh has opposed the bail application. However, it is not disputed that only 04 out of 15 prosecution witnesses have been examined including the complainant.

After hearing learned counsel for the parties, this Court finds that the further custody of the petitioner may not be necessary, as the trial is likely to consume considerable time. 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.

29.10.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No

Whether Reportable : Yes/No