

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

**CRM-M No.44872 of 2019
Decided on: 29.10.2019**

Ravi

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Amit Rana, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of regular` bail under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.349 dated 16.06.2019, for offence punishable under Sections 397, 120-B of the Indian Penal Code (in short 'IPC') and Section 25 of the Arms Act registered at Police Station City Jind, District Jind.

Counsel for the petitioner has submitted that as per the allegations in the FIR, registered on the statement of Raju, he had gone to District Jind to collect money of the goods from different shops and he had collected about Rs.1.5 – 2.0 lacs and he was going towards the bus-stand on a rickshaw, when two young persons came on a motorcycle and tried to snatch his bag but he did not leave the same and thereafter, one of them fired a shot on his leg and after snatching the bag, they fled away from the spot and the victim was admitted in General Hospital, Jind. Thereafter, the police arrested the co-accused Sarthak @ Shyam and on his disclosure statement, another accused

namely Ashwani @ Ashu was arrested, who was stated to be accompanying the co-accused Sarthak @ Shyam at the time of the incident. It is further argued that after the arrest of the main accused Sarthak @ Shyam, the police recovered pistol, part of the amount as well as the motorcycle used in commission of the crime. The role of the petitioner was that he had hatched a conspiracy with co-accused Sarthak @ Shyam to commit the crime about 4-5 months ago and he has given the information about the complainant to the aforesaid co-accused Sarthak @ Shyam.

Counsel for the petitioner has further argued that the petitioner is in custody since 24.06.2019 and he is on bail in another FIR. It is further submitted that there are no direct allegations against the petitioner that he has actively participated in commission of the crime and the only allegation against him is of conspiracy.

Counsel for the State, on instructions from ASI Jasbir Singh has, however, submitted that as per the disclosure statement of the co-accused Sarthak @ Shyam, the petitioner was arrested, however, he did not dispute that the recovery of the pistol, part of the snatched amount and the motorcycle was effected from the co-accused – Sarthak @ Shyam.

Without commenting anything on merits of the case, considering the fact that there are no direct allegation against the petitioner; he is in custody since 24.06.2019; the investigation is complete; challan stands presented 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/Illaqa 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 manner.

(ARVIND SINGH SANGWAN)
JUDGE

29.10.2019
yakub

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No