

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

Sr. No.214

**CRM-M-51453-2019**

**DECIDED ON: December 09, 2019**

**RISHI PANDEY @ VIVEK**

**..PETITIONER**

**VERSUS**

**STATE OF HARYANA**

**...RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL**

Present: Mr. Pranjal P Chaudhary, Advocate, for the petitioner.

Mr. Gaurav Bansal, AAG, Haryana.

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**SUDHIR MITTAL, J. (ORAL)**

The petitioner seeks grant of regular bail in case FIR No. 162 dated 19.02.2019 registered at Police Station Mujessar, District Faridabad under Sections 392, 397, 307, 341 IPC and Section 25 of Arms Act, 1959.

2. Learned counsel for the petitioner submits that the petitioner has been in custody for more than a period of 08 months. The trial is not likely to be concluded at an early date as only 01 PW i.e. the complainant has been examined till date. Further, the complainant has not identified the petitioner and thus, he may be granted regular bail.

3. Custody certificate dated 08.12.2019 prepared by Sh. Ramesh Kumar, Deputy Superintendent, District Prison, Faridabad has been filed in Court. The same is taken on record. According to this certificate, the petitioner has undergone actual custody of 08 months and 28 days and there are six other cases pending against him.

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4. Learned State counsel submits that the petitioner is a habitual snatcher as the remaining FIRs registered against him are either under Section 379-A IPC or Section 379-B IPC. Thus, it is not safe to release the petitioner in society.

5. Learned counsel for the petitioner submits that the petitioner has been granted bail in all the remaining cases. In fact, the petitioner has not been identified by the complainants of the respective remaining cases also. All these cases have been imposed upon the petitioner as is evident from their respective dates. The first FIR is dated 26.01.2019 and the remaining FIRs are of February, 2019. The present FIR is also of February, 2019. In view of the fact that the complainants of the respective cases have failed to recognize the petitioner, his false implication cannot be ruled out.

6. From the above, it is clear that the trial is at initial stage and that the same is not likely to be concluded at an early date, the petitioner has been in custody for 08 months and 28 days and in the pending cases against him, the complainant has failed to identify him. This as well as the fact that all the FIRs have been registered against the petitioner in the period January, 2019 to February, 2019, his false implication cannot be ruled out.

7. Thus, I deem it appropriate to grant regular bail to the petitioner. The petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

**December 09, 2019**

*Ankur*

**(SUDHIR MITTAL)  
JUDGE**

Whether speaking/reasoned  
Whether Reportable

Yes/No  
Yes/No