

222 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-106-2020
Date of Decision: 13.01.2020

Sumit Kumar

... Petitioner

v/s

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Rajesh Bansal, Advocate for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG Haryana
ASI Subhash.

* * *

VIVEK PURI, J. (ORAL)

Petitioner has prayed for grant of regular bail in case FIR No. 190 dated 28.9.2019, registered under Sections 398, 401 of IPC, 1860 and Section 25 of Act No. 54 of Arms Act, 1959 at Police Station Sector 13-17, District Panipat.

The FIR has been registered on the allegations that police party headed by SI Shri Krishan who was present in a Govt. vehicle in front of the gate of Ansal City and a secret information was received to the effect that two young boys having weapons were standing on the road of Village Ajijulapur and trying to rob the passerbys and if a raid is conducted they can be apprehended. Relying upon the information the light of the Govt. vehicle was removed and the police party proceeded towards Village Ajijulapur where the petitioner along with his co-accused were spotted. One of the accused came in front of the vehicle and stopped it. The other boy pointed the pistol towards the driver and asked him to hand over whatsoever he was

having. SI Shri Krishan switched on the inside light of the vehicle and on seeing the police officials one of the accused shouted “Bhaag Sumit Police Hai”. The boys tried to run away when they were over-powered.

Heard.

It is a case in which attempt to rob the police party had been made under the apprehension that there was some civilians. Although the petitioner and the co-accused are stated to be armed with firearms but the same have not been fired. It is a case of attempt to commit crime only.

It has not been disputed that prior to the registration of the present case, the petitioner was not involved in any other case. The case of the prosecution is based upon official witnesses. Investigation of the case is stated to be complete and the challan has been presented on 26.11.2019. The arrest of the petitioner was effected on 28.9.2019. Since then he is in custody.

Considering the above and the fact that the trial is likely to consume some time, further detention of the petitioner may not be justified. Therefore, without making 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 concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

13.01.2020
Janki

(VIVEK PURI)
JUDGE

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