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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.678 of 2020

Date of Decision: 17.01.2020

KAPIL

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sunil Kumar, Advocate
for the petitioner.

Mr. Surender Singh, A.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.201 dated 02.08.2019, registered under Sections 25, 54, 59 of the Arms Act and Sections 395 & 397 IPC at Police Station Hassanpur, Tehsil & Distt. Palwal.

As per allegations in the FIR, five persons came on one motorcycle and after giving beatings to the complainant-party looted an amount of Rs.3700/- along with two mobile phones. Thereafter they fled away. Two persons were identified as Sunny son of Bhagwan Singh and Guddu son of Inder. One more person was identified as son of brother-in-law of Ranno son of Bhagwan Sahai. The petitioner is stated to be the son of

brother-in-law of Ranno. The accused fled away after leaving the motorcycle at the spot. The motorcycle is ultimately found to be in the name of co-accused Sunny. An amount of Rs.500/- was recovered from the petitioner.

During investigation it was also revealed that at the same time, the accused-party has also committed a robbery for which a complaint was filed by one Sheela. No separate FIR has been registered in the context of complaint except recording of her statement under Section 161 Cr.P.C.

It is not in dispute that co-accused Guddu @ Bhupender has been granted regular bail by this Court vide order dated 13.11.2019 passed in CRM-M No.44710 of 2019. Co-accused Sunny has also been granted anticipatory bail by the Court of Sessions vide order dated 16.09.2019.

Learned State counsel on instructions from HC Krishan Kumar submitted that the complicity of the petitioner is at par with Guddu @ Bhupender who has been granted regular bail by this Court on 13.11.2019.

Challan has already been presented and the charges have also framed. Trial of the case may take some time in its culmination.

At this stage, without adverting to the merits of the case, I am of the view that petitioner, who is in custody since

12.08.2019 can be enlarged on bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

January 17, 2020

Atik

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No