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

**CRM-M No.3980 of 2020 (O&M)
Date of Decision: 05.08.2020**

NAUSHAD

.....Petitioner

Vs

STATE OF HARYANA & ANR.

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Mazlish Khan, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.684 dated 30.12.2019, registered under Section 379-A IPC at Police Station Pataudi, District Gurugram.

The FIR was registered at the instance of complainant Gulshan with the allegation that on 29.12.2019, he was going from Pataudi to Helimandi for personal work. All of sudden three persons came on a motorcycle and snatched the mobile phone

and Rs.4500/- present in the cover of the mobile phone and ran away from the spot. They were in muffled faces.

Learned counsel for the petitioner submitted that name of the petitioner was nominated in the disclosure statement of co-accused Yashdeep, who was arrested on 02.01.2020. The petitioner is in custody since 02.01.2020. Motorcycle has been recovered from the petitioner. Challan has been presented, but charges have not been framed so far.

Learned counsel further submitted that the complainant himself gave an affidavit on 13.01.2020 exonerating the petitioner by mentioning that he has seen many photographs of the accused, but the petitioner is not amongst the three persons, who had committed the offence in question.

Learned State counsel on the other hand submitted that recovery of motorcycle has been effected from the petitioner, however he is not involved in any other case as per custody certificate. The co-accused Yashdeep and Himanshu have been granted bail as both of them were found to be juvenile. Challan qua them has been presented in the competent Court. Challan qua the petitioner has also been presented.

Looking to the aforesaid facts and in view of the situation arising out due to pandemic COVID-19 and without

adverting to the merits of the case, I deem it appropriate to enlarge the petitioner on regular 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/concerned Duty Magistrate.

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

August 05, 2020	(RAJ MOHAN SINGH)
<i>Atik</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No