

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

**CRM-M-5540-2020 (O&M)
Date of Decision : 12.02.2020**

Dinesh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAMENDRA JAIN

Present : Mr. Rahul Vats, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

RAMENDRA JAIN, J. (Oral)

Through instant petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No.406 dated 29.06.2019, registered under Sections 147, 149, 323, 352, 341 and 379-B IPC, at Police Station Camp Palwal, District Palwal.

According to prosecution, on 26.06.2019, complainant Nitin was robbed for Rs.21,000/- by 7-8 young boys including the petitioner near Green Vale Public School, Palwal, armed with lathis and dandas, coming in a car and motorcycle, causing 14 injuries to him, out of which 06 have been declared grievous in nature.

Learned counsel contends that the petitioner was not named in the FIR nor was identified by complainant at the spot, as per his initial version, which culminated into aforesaid FIR.

Complainant named only three persons in his initial statement, who, during investigation, were found innocent. No recovery of money was effected from them. The petitioner is in custody since 21.12.2019. Filing of final report under Section 173 (2) Cr.P.C., framing of charge and conclusion of trial may take sufficient long time. No useful purpose would be served by detaining the petitioner any more in jail.

On the other hand, learned State counsel, refuting the above submissions, contends that complainant in his supplementary statement, has named petitioner as one of the assailants. Three co-accused of petitioner are still at large for the last more than 07 months. Granting bail to petitioner would certainly create hurdle in the investigation and arrest of co-accused.

Considering overall facts and circumstances and keeping in view of the gravity of offence, this court finds no ground to grant the benefit of bail to petitioner.

Dismissed.

12.02.2020
mamta

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No