

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

203

**CRM-M-8098-2020
Date of decision : 21.07.2020**

Rishi Raj

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Ajay Ghangas, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. A.G., Haryana
for the respondent-State.

ARUN KUMAR TYAGI, J (ORAL)

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

The petitioner has filed present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to him in case FIR No.533 dated 25.05.2019 registered under Sections 379-B and 120-B of the Indian Penal Code, 1860 at Police Station Chandni Bagh, Panipat.

The above-said FIR was registered on the complaint made by Hare Krishan on the allegations that on 24.03.2019 at about 9:45 p.m. when he and his colleague Chander Bhan were working in their office, four boys came in Swift Dezire Car, entered into their office and threatened them with some weapon, tied their hands with tape and snatched their mobile phones, his purse containing Rs.3,500/- and ATM Card and 70/80 blankets from their office and closed shutter of their office from outside. During investigation statement of owner of the

blankets Joginder was also recorded, subsequently owner of the blankets made statement that due to previous incident of robbery on 11.01.2019 he started the method of sending money collected in relation to their trade by keeping the same in the blanket through courier and the blankets looted from the office of the courier contained the amount of Rs.3,75,67,500/-.

The petitioner, who is in custody since 23.09.2019, has filed the present petition for grant of regular bail.

Petition has been opposed by learned State Counsel in terms of reply filed by way of affidavit of Sh. Satish Kumar HPS, Deputy Superintendent of Police, Head Quarter, Panipat.

I have heard learned Counsel for the petitioner and learned State Counsel and gone through the record.

Learned Counsel for the petitioner has argued that the petitioner has been falsely implicated in the case due to being father of the main accused-Sachin on the basis of disclosure statement of co-accused. The petitioner is not alleged to be present at the time of the occurrence and is stated to be a conspirator. There is no cogent and convincing evidence as to involvement of the petitioner in the crime. No incriminating material has been recovered from the petitioner. Co-accused-Kanahiya @ Kanaha, Sudhir and Sachin have been granted bail by learned Additional Sessions Judge, Panipat vide orders dated 13.04.2020, 09.05.2020 and 27.05.2020 respectively. The trial is likely to take long time. No useful purpose will be served by detention of the petitioner in custody during trial. Therefore, the petitioner may be granted regular bail.

On the other hand, learned State Counsel has argued that the allegations against the petitioner are serious. The petitioner is the main conspirator. Recovery of the currency was also made from him. In view of gravity of offences committed, the petitioner does not deserve the concession of regular bail. Therefore, the petition may be dismissed.

Keeping in view the facts and circumstances of the case, nature of accusation against the petitioner, period of his custody, the fact that trial is likely to take long time due to restrictions imposed to prevent spread of infection of Covid-19 and parity with his co-accused Kanahiya @ Kanaha, Sudhir and Sachin who have been granted bail by learned Additional Sessions Judge, Panipat but without commenting on the merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of requisite bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

21.07.2020

Kothiyal

(ARUN KUMAR TYAGI)
JUDGE

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