

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

CRM-M-12719-2020
Date of decision: 03.06.2020

Praveen @ Bachacha

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARUN PALLI, JUDGE

Present: Mr. Aditya Sanghi, Advocate for the Petitioner.
Mr. Munish Sharma, AAG, Haryana.
Mr. Lokesh Sharma, Advocate, for the complainant.
*(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court.)*

ARUN PALLI, J. (Oral)

Petitioner prays for a regular bail under Section 439 of Cr.P.C.
in FIR No.264, dated 17.10.2019, under Section 379-A IPC, registered at
Police Station Sadar Narnaul, District Mahendergarh.

As per the prosecution version, on 16.10.2019 at about 9.00pm
when complainant Babu Lal was returning home on his motorcycle from Oil
Mill Narnaul, a motorcycle came from behind which was ridden by two
boys. For they signaled the complainant to stop, and as he stopped, they
removed the keys of his motorcycle and assaulted the complainant. Further,
they even snatched his mobile bearing two SIMs no.9871912659 and
9416910656 and a purse containing Rs.2200/- along with his motorcycle.

Learned counsel for the petitioner submits that apparently the
implication of the petitioner is false. He was arrested on the supplementary
statement of the complainant rendered on 29.12.2019. And, in any case, he
submits that the dispute between the parties stands amicably resolved on

11.05.2020 and in terms whereof the complainant Babu Lal has furnished a specific affidavit (Annexure P4). And in reference to the said affidavit, he submits that Babu Lal has affirmed that in fact the petitioner was wrongly arrested and he was not present even when the alleged occurrence took place. Nor he caused any harm to the complainant. In fact, the implication of the petitioner was a result of misunderstanding. The petitioner is said to be in custody since 02.01.2020.

Notice.

Mr. Munish Sharma, AAG, Haryana accepts notice on behalf of the respondent, and Mr. Lokesh Sharma, Advocate is present on behalf of the complainant.

The factual position, as sketched out above, is not disputed by the learned counsel for the complainant, whereas learned State counsel submits that as final report/challan has since been furnished, investigation is complete.

In the wake of the above, it would be just and appropriate to release the petitioner on regular bail.

Accordingly, the petition is allowed and the petitioner is ordered to be enlarged on bail subject to furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

Needless to assert that this order or any observation made hereinabove shall not constitute any expression of opinion on the merits of the case.

03.06.2020

Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES
NO