

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

**CRM-M No.13782 of 2020 (O&M)
Date of decision : October 07, 2020**

Pawan Petitioner

Versus

State of Haryana Respondent

(IN VIRTUAL COURT)

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Rajesh Bansal, Advocate for the petitioner.

RAJBIR SEHRAWAT, J. (ORAL)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of bail pending trial in case FIR No.822 dated 18.12.2019 registered under Sections 379-B, 34 IPC, 25 of the Arms Act, 1959 and Section 365 IPC (added later on), at Police Station Samalkha, District Panipat.

It is submitted by the counsel for the petitioner that the case against the petitioner is totally concocted. Only an amount of ₹1,000/- has been shown to be recovered from the petitioner. However, mere recovery of money does not connect the petitioner to the crime. There is no other case against the petitioner. The challan has already been presented. Therefore, the petitioner is not required for any investigation purposes.

Notice of motion.

Mr. Arun Beniwal, DAG, Haryana, accepts notice on behalf of the State.

Learned counsel for the State, being instructed by SI Jagbir Singh, submits that the petitioner has positively participated in the crime. On the basis of the disclosure statement of the present petitioner, co-accused were arrested and the car in question, which was snatched in the incident, has been recovered from one co-accused Baljeet. Similarly, pistol has been recovered from another co-accused, namely, Rajender. Therefore, the petitioner cannot be heard to say that he is not involved in the crime. However, it is not disputed that only an amount of ₹1,000/- has been recovered from the petitioner. It is also not disputed that there is no other case against the petitioner and that the challan has already been presented in the present case.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

October 07, 2020

sarita

Whether speaking / reasoned

Yes

Whether Reportable:

No