

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-14375-2020 (O&M)

Date of Decision: 24.06.2020

Ronak

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Vishal Nehra, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

TEJINDER SINGH DHINDSA.J (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Instant petition has been filed under Section 439 Cr.P.C seeking benefit of regular bail to the petitioner pending trial in case FIR No.699 dated 29.10.2018 registered under Sections 395, 397, 120-B I.P.C and section 25 of Arms Act at Police Station, City Rohtak, District Rohtak.

Counsel for the parties have been heard.

FIR came to be registered on the complaint of Pawan Kumar. Allegations are that on 29.10.2018, 10/12 unknown persons duly armed came to the go down owned by the complainant and committed dacoity to the extent of Rs.20,50,000/- from his Accountant namely Sanjay Gupta.

Name of the petitioner does not figure in the FIR. It so transpires that the petitioner was arrested in a separate FIR bearing no.442 dated 8.11.2018 under sections 307, 332, 353 I.P.C and section 25 of Arms Act registered at Police Station, Murthal, District Sonapat and it is on account of a disclosure statement suffered by the present petitioner in the

other FIR that he is sought to be implicated in the present case. As per prosecution version, a sum of Rs.1 lakh is stated to have been recovered from his residential house.

Learned State counsel informs the Court that investigation having been completed, challan was presented on 11.3.2019. Even though, 34 prosecution witnesses have been cited but none has been examined till date.

Trial, as such, would take time to conclude.

Petitioner has faced incarceration over a period of almost 18 months.

It has gone uncontroverted that the petitioner has already been granted the benefit of bail in the other FIR bearing no.442 dated 8.11.2018 as afore-noticed and in which he had allegedly suffered a disclosure statement leading to his involvement in the present case.

In view of the above and without making any observations on merits, instant petition is allowed.

Petitioner be enlarged on bail subject to satisfaction of Trial Court/Duty Magistrate, Rohtak.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

24.06.2020
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No