

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

216

**CRM-M-16309-2020
Date of decision: 09.07.2020**

Dheeraj and another

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Kunal Dawar, Advocate
for the petitioners.

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.

Petitioners-**Dheeraj and Kulwant @ Kallu** have filed the present (first) petition under Section 439 of the Code of Criminal Procedure, 1973 (for short, "the Cr.P.C.") for grant of regular bail in case FIR No.177 dated 23.05.2020 registered under Section 379-A read with Section 34 of the Indian Penal Code, 1860 (for short, "IPC") at Police Station Hodal, District Palwal.

The above said FIR was registered on statement of complainant-Kuldeep who alleged that on the intervening night of 21/22.05.2020 at about 01:00 A.M., two persons came in Honda City Car bearing registration No.DL-4CN-2672 and waylaid him and after taking key of his tanker made him to disembark from his tanker and snatched Rs.4,000/- kept in his pocket and went away. They were calling each other by the names of Kallu and Dheeraj.

The petitioners, who are in custody since the date of their arrest, have filed the present petition for grant of regular bail.

Copy of the petition has already been supplied to learned State counsel who has opposed the same.

I have heard learned counsel for the petitioners and learned State counsel and gone through the relevant record.

Learned counsel for the petitioners has submitted that the petitioners have been falsely implicated in the case. There was delay of more than 24 hours in lodging of the FIR. The complainant suppressed the real version. The petitioners were going in the car which belonged to their uncle and due to driving of the tanker by the complainant in reckless manner a minor altercation took place between them. The petitioners did not commit alleged offences and are not involved in any other case. The investigation and trial are likely to take long time and no useful purpose will be served by further detention of the petitioners in custody. Therefore, the petitioners may be granted concession of regular bail.

On the other hand, learned State counsel has submitted that the petitioners waylaid and snatched amount of Rs.4,000/- from the complainant and thereby committed heinous offences. The petitioners do not deserve grant of regular bail. Therefore, the petition may be dismissed.

In view of the facts and circumstances of the case, nature of accusation and evidence against the petitioners, the fact that the petitioners are not involved in any other case coupled with the fact that the trial is likely to take long time but without commenting on the

merits of the case, I am of the considered view that the petitioners deserve the concession of regular bail.

Therefore, the petition is allowed and petitioners-**Dheeraj and Kulwant @ Kallu** are ordered to be released on regular bail on furnishing of bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

09.07.2020

Vinay

(ARUN KUMAR TYAGI)
JUDGE

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