

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

214

CRM-M-16989-2020(O&M)

Date of decision : 07.08.2020

SAHIL

.....Petitioner

versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Suneet Kumar, Advocate,
for the petitioner

Mr. Chetan Sharma, AAG, Haryana

Mr. Rakesh Gupta, Advocate,
for the first informant.

ANIL KSHETARPAL, J. (ORAL)

The petitioner prays for grant of regular bail pending trial in a criminal case arising from FIR No.434, dated 23.12.2019, registered under Section 341/379B/395/412 IPC, at Police Station Kharkhoda, District Sonapat.

In brief, the case of the prosecution has been noticed by the learned Additional Sessions Judge, Sonapat, in paragraph 2 of the order dated 10.04.2020, which is extracted as under:-

“2. The case of the prosecution is that on 23.12.2019 at about 01:40 AM, when complainant Vidya Sagar was present in village Kundal with a Canter bearing registration No.HR-69D-4415 loaded with potatoes, some persons obstructed his way in two vehicles by parking one vehicle each on the front side and rear side of the Canter. Subsequently, 3-4 persons alighted from the vehicles and gave beatings to the

complainant. Thereafter, they took the purse of the complainant containing a sum of Rs.6,000/-, a mobile phone and the Canter and fled from the spot.”

Hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

Learned counsel for the petitioner contends that the petitioner is in custody since 25.12.2019. On the conclusion of the investigation, the police report under Section 173 Cr.P.C. has already been presented before the Court. There is no recovery from the petitioner and all the alleged snatched items have been recovered from the possession of other accused. He further contends that the petitioner has arrived at some sort of settlement with the first informant.

Learned counsel appearing for the first informant does not dispute that fact.

The petitioner is in custody since 25.12.2019. The conclusion of the trial is likely to take time.

Without commenting on the merits of the case and keeping in view the fact that the petitioner is in custody since 25.12.2019 and the conclusion of the trial is likely to take time, the petitioner is directed to be released on regular bail subject to furnishing of adequate surety to the satisfaction of the trial Court/Duty Magistrate.

Accordingly, the present petition is allowed with the aforesaid directions.

August 07, 2020
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No