

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-18480-2020 (O&M)
Date of decision: 30.07.2020

Saurabh

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Rajat Mor, Advocate for the petitioner.

Mr. Kuldeep Tiwari, Addl. AG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.7 dated 04.01.2020 under Sections 379-B, 120-B, 34 IPC, registered at Police Station City Bahadurgarh, District Jhajjar.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of complainant Ravi Ranjan Pandey, he is residing in a rented premises and on 01.01.2020, when he was going to his house, four boys covering their faces, came there and caught hold of him and by showing knives, snatched his mobile phone. When he raised alarm, the assailants ran away from the spot on their bikes. It is further submitted that the petitioner was not named in the FIR and previously, on the basis of disclosure statement of co-accused, he was involved in another FIR No.4 dated 02.01.2020 under Sections 307, 387, 120-B IPC and Section 25/54/59 of Arms Act, registered at Police Station City Bahadurgarh, District Jhajjar. It is also

submitted that in that FIR, the Additional Sessions Judge, Jhajjar, vide order dated 18.05.2020, granted him regular bail, observing that neither he was found in the CCTV footage of the place nor his phone was used to involve him in conspiracy.

Learned counsel for the petitioner has further submitted that during the period, when he was in custody, on the basis of his own disclosure statement, he was nominated in the present FIR. It is further submitted that there is no evidence against the petitioner to connect him with the offence and he is in custody since 24.01.2020; challan stands presented and conclusion of the trial will take some time.

Learned State counsel, on instructions from the Investigating Officer, has not disputed the factual position.

Without commenting anything on merits of the case, considering the fact that the petitioner is on bail in FIR No.4 and after his arrest in the said FIR, he was nominated in the present FIR No.7; only evidence against him is his own disclosure statement and also in view of the fact that he is in long custody and the trial is to take time in view of COVID-19 situation, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

30.07.2020
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No