

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

CRM-M-18170-2020

Date of decision:29.7.2020

RAJENDER

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Vijay Sangwan, Advocate
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

*(the aforesaid presence is being recorded through video
conferencing since the proceedings are being conducted in Virtual
Court)*

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner has approached this Court seeking grant of regular bail in a case registered vide FIR No.67 dated 11.4.2018 registered at Police Station Ateli, District Mahendergarh (Haryana) under Sections 341, 392, 395, 342, 412, 201 of Indian Penal Code, 1860 and Section 25 of Arms Act.
2. The FIR was registered at the instance of Diragpal Singh Chauhan wherein it has been alleged that he went off to sleep at his home on 11.4.2018 as usual and that at about 2 A.M. in the morning, four persons entered into his bedroom. Out of the said persons, one was carrying an iron rod and another pointed a pistol on his head and demanded key of almirah. Upon refusal of the complainant to handover the key, they

broke the almirah and took out the entire gold jewellery kept therein which weighed about 40 'tolas' and also took away cash amounting to ₹10 lakhs. It is further alleged that the said persons also took away another amount of ₹4 lakhs from the room of complainant's wife and also broke a safe lying outside the house. It is alleged that from the language used by the said persons, they appeared to be hailing from eastern Uttar Pradesh or Bihar and were aged between 20-35 years

3. The learned counsel for the petitioner has submitted that the petitioner is not named in the FIR and is sought to be nominated on the basis of disclosure statement made by co-accused namely Budh. Learned counsel for the petitioner also claims parity as his co-accused Reshma, Ajit, Gordhan @ Gowardhan, Moti, Tejpal @ Teja and Vinod @ Gunga etc. have already been granted concession of bail by this Court.
4. Opposing the petition, the learned State counsel has submitted that since the petitioner has specifically been named by co-accused Budh, no case for grant of bail is made out. It has however been informed that the petitioner has been behind bars since last about 1 year & 3 months.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case and the fact that the petitioner has been behind bars since last more than 1 year & 3 months and that 6-7 co-accused of the petitioner have already been granted concession of bail, further detention of the petitioner will not serve any useful purpose as conclusion of trial is likely to take some time.

7. The petition, as such, is accepted and the petitioner-Rajender is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

29.7.2020
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No