

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

216

CRM-M-17872 of 2019

Date of decision : 13.01.2020

Afsar

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present : Mr.Kunal Dawar Advocate
for the petitioner.
Mr. Ashok Singh Chaudhary, Addl. A.G., Haryana.

Gurvinder Singh Gill, J. (Oral)

1. Petitioner has approached this Court seeking grant of regular bail in case, FIR No.117 dated 20.03.2018 under Section 379-B of Indian Penal Code (Haryana Amendment) Act, 2014 and 34 IPC, Act, 1860 (Section 365 IPC added later on), registered at Police Station Sector 17-18, Gurugram, Haryana.

2. The allegations in nutshell are that on 19th March, 2018 when the complainant was waiting at IFFCO Chowk, Gurugram, then a white coloured Dezire Car came there and the occupants offered to give him lift upto to Mahipalpur. Although, he offered to pay an amount of Rs. 20 but the persons sitting in the car started inflicted injuries to him, snatched his purse, mobile, ATM Card and cash amount of Rs. 8,000/-.

3. The Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and is sought to be nominated as an accused pursuant to a disclosure statement allegedly made by co-accused Junaid. The learned counsel has further submitted that when the complainant stepped into the witness box as PW-3, he has not stated in

an unambiguous terms regarding identification of the petitioner.

4. Opposing the petition, the learned State counsel has submitted that since the co-accused has categorically named the petitioner as an accused, no case for grant of bail is made out. It has, however, been informed that the petitioner has been in custody since the last more than 1 year and 9 months and that till dated 7 out of the cited 18 PWs have been examined.

5. Having considered rival submissions addressed before this Court and bearing in mind the fact that the petitioner has been behind bars since the last 1 year and 9 months and the conclusion of trial is likely to take more time, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and it is ordered that petitioner be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

[GURVINDER SINGH GILL]
JUDGE

13.01.2020
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No