

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

**CRM-M No.21940 of 2020
Date of decision : October 09, 2020**

Jaheer Petitioner

Versus

State of Haryana Respondent

(IN VIRTUAL COURT)

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Lekh Raj Nandal, Advocate for the petitioner.

RAJBIR SEHRAWAT, J. (ORAL)

This petition has been filed by the petitioner under Section 439 of Cr.P.C. for grant of bail pending trial in case FIR No. 420 dated 16.07.2019, registered under Sections 379B and 506 IPC and Section 25 of Arms Act, 1959, at Police Station City Sohna, District Gurugram.

It is contended by the counsel for the petitioner that the case against the petitioner is totally concocted. The petitioner had not snatched anything. The petitioner is in custody since 28.07.2019. Challan has already been filed. Prosecution is already leading their evidence. Hence, the petitioner is not required for any investigation purposes.

Notice of motion.

Mr. Arun Beniwal, DAG, Haryana, accepts notice on behalf of the State.

Learned State counsel, being instructed by ASI Harpal Singh, has submitted that the complainant himself identified the petitioner in

identification parade. Not only that, recovery of laptop has also been effected from the petitioner. It is also submitted that besides the present case, 4 more cases are pending against the petitioner. However, it is not disputed that the petitioner is in custody since 28.07.2019 and that only 3 witnesses have been examined so far.

In view of the above, but without commenting any further on the merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail pending trial on his furnishing bail bonds/sureties to the satisfaction of the concerned Chief Judicial Magistrate/Duty Magistrate.

However, since there have been more cases against the petitioner and as per the allegations, he indulged in the offence in the present case despite being on bail in other cases, therefore, it is ordered that in case the petitioner is found indulging in any other criminal cases, then the bail granted by this order, shall be deemed to be automatically cancelled without reference to this Court.

In such an eventuality, the petitioner shall be taken into custody in the present case as well.

(RAJBIR SEHRAWAT)
JUDGE

October 09, 2020

sarita

Whether speaking / reasoned

Yes

Whether Reportable:

No