

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

**CRM-M-22093-2020
DECIDED ON: AUGUST 14, 2020**

AMIT @ MEET

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Ashwani Gaur, Advocate
for the petitioner.

Mr. Karan Sharma, AAG, Haryana.

AVNEESH JHINGAN, J (ORAL)

The matter has been taken up for hearing through video conferencing due to COVID-19 situation.

This petition is filed under Section 439 of the Code of Criminal Procedure, 1973 seeking bail in pending trial in FIR No. 339, dated 19.12.2019, under Sections 379-B, 411, 201 and 120-B of the Indian Penal Code, 1860 registered at Police Station City, Narwana, District Jind.

The FIR was registered at the instance of Vikram Singh alleging that on 19.12.2019 he was going to deposit cash amounting to ₹2,25,000/- in Axis Bank, Narwana given by Mr. Vijay Kumar, Manager of the Petrol Pump. While he was going on the motorcycle, three boys with muffled faces carrying sticks came in front of the motorcycle and hit his motorcycle. He fell down, all the three boys gave him beatings and snatched cash. It is claimed that he can identify them.

Petitioner alongwith co-accused Amit @ Anta and Ajay @ Chhotiya were arrested on 27.12.2019, they were riding the motorcycle alleged to be used at the time of incident. After the arrest, a recovery of ₹20,000/- was made from the petitioner and an amount of ₹40,000/- was recovered from Amit @ Anta and also from Ajay @ Chhotiya. During the investigation name of one Ajrudeen @ Ajru surfaced and he was arrested. He stated that the motorcycle belong to his cousin Salim to whom some amount was given.

Learned counsel for the petitioner argues that Salim has already been granted the bail in spite of the fact that he was the owner of the motorcycle. Submits that it is a strange co-incidence that on 27.12.2019 the three accused including the petitioner were riding the same motorcycle. He further fortifies his contention by stating that the complainant, employee of the petrol pump have given affidavit that the petitioner and other two accused were not the persons involved in the incident.

Learned State counsel opposes the prayer stating that the police has a CCTV footage in which the registration number of the motorcycle is visible. Bail granted to Salim is distinguished as he was not present at the time of incident and was only the owner of the motorcycle. He further submits that there is a serious apprehension that in case the petitioner is released on bail the witnesses would be influenced and same is not baseless as the alleged affidavits are an indicator towards the said

possibility.

Considering the facts and circumstances of the case, no case is made out for grant of bail. The present petition is accordingly, dismissed.

However, it is clarified that nothing said hereinabove shall be construed as observing an opinion on the merits of the case.

14th August, 2020
sham

(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>