

209 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28984-2020

Date of Decision: 24.09.2020

Sachinand others ...Petitioners

V/S

State of Haryana ...Respondent

Coram : Hon'ble Mr. Justice B.S. Walia.

Present: Mr.Lalit Kumar Yadav, Advocate for petitioners.

Mr. Karan Garg, AAG, Haryana.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of pandemic Covid-19.

2. Prayer in the petition under Section 439 of Cr.P.C., is for grant of regular bail to the petitioner during pendency of trial in case FIR No.127 dated 05.08.2020, registered under Section 379-B IPC, at Police Station Bond Kalan, District Charkhi Dadri.

3. Learned counsel contends that the petitioners have been falsely implicated as is evident from the affidavit Annexure P/2 given by the complainant. The same is vehemently controverted by learned Asstt. AG, Haryana, who contends that the petitioners had given a beating to the complainant and snatched Rs.19,000/- from him and that the complainant had initially given a complaint in which the petitioners were not named but subsequently a supplementary statement was given identifying the petitioners by stating that the complainant had seen the accused and had come to know about their identity. Therefore, the petitioners were not entitled to grant of regular bail because incidents of inflicting and grabbing of money were on the

4. I have considered the submission of learned counsel for the parties.

5. As per the allegations against the petitioners in the FIR, as fortified by the supplementary statement not only was cash amount of Rs.19,000/- snatched from the complainant but the complainant was also inflicted injuries by the petitioners. Besides, there is merit in the submission of learned AAG, Haryana, that in case the petitioners are released on bail, they may pressurize the complainant in view of the apprehension expressed by the learned Addl. Sessions Judge, Charkhi Dadri, in his order, in view of affidavit Annexure P/2 dated 14.08.2020. Moreover, incidents of beating and snatching of money are reportedly on the increase especially during the Corona Virus pandemic.

6. In view of the position noted above, I do not find any merit in the petition under section 439 Cr.P.C. warranting interference with the order passed by the learned Addl. Sessions Judge, Charkhi Dadri, dismissing the application for regular bail. Accordingly, the petition under Section 439 Cr.P.C., is dismissed.

7. However, nothing stated hereinabove would be construed as an expression of opinion on the merits of the case.

(B.S. Walia)
Judge

24.09.2020

'Amit-Rajesh'

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No