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

1. **CRM-M No.32735-2020**
Date of Decision: 26.10.2020

NAZIMPetitioner
Vs
STATE OF HARYANARespondent

2. **CRM-M No.32816 of 2020**

AAS MOHD.Petitioner
Vs.
STATE OF HARYANARespondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Namit Khurana, Advocate
for the petitioner(s).

Mr. Bhupender Singh, D.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

Both the cases have been taken up for hearing through
video conferencing.

Vide this common order, CRM-M Nos.32735 and 32816
of 2020 are being decided. Since both the cases have arisen
out of common FIR, therefore, for brevity common facts are
being noticed.

In both the cases, petitioners seek grant of regular bail

under Section 439 Cr.P.C in case bearing FIR No.1250 dated 05.10.2019, registered under Sections 379-A & 473 IPC at Police Station Jagadhri City, District Yamuna Nagar, Haryana.

FIR was registered at the instance of complainant Ramesh Chand, who alleged that on 05.10.2019 his mother was sitting alone in the gate outside of their house. Two young unknown boys came on a motorcycle without registration number. Boy sitting as a pillion rider snatched both the ear rings of his mother and ran away. Petitioners have been arrested on the basis of secret information on 14.11.2019.

Learned counsel for the petitioner(s) submitted that mother of the complainant was not subjected to any medical examination in order to ascertain any injury received by her on the ears. Name of the secret informer is not to be disclosed. The identity of the petitioners would remain debatable in the absence of any test identification parade under Section 54-A of the Code of Criminal Procedure.

On the other hand, learned State counsel submitted that the petitioners have been arrested on the basis of secret information and they are involved in other cases also.

Having heard learned counsel for the parties, I am of the view that the complicity of the petitioners would remain

debatable in view of their involvement on the basis of secret information and the absence of test identification parade. Petitioners are in custody since 14.11.2019.

In view of custody of the petitioners since 14.11.2019 at this stage without meaning anything on merits of the case and also in view of the situation arising out due to COVID-19 pandemic, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioners are ordered to be released on bail, subject to their furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

October 26, 2020

Atik

Whether speaking/reasoned

Whether reportable

**(RAJ MOHAN SINGH)
JUDGE**

Yes/No

Yes/No