

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

CRM-M-33760 of 2020 (O&M)
Date of Decision: 04.11.2020

Ajay Kumar

...Petitioner

Versus

State of Haryana

...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. G.C.Shahpuri, Advocate, for the petitioner.

Mr. Karan Sharma, AAG, Haryana,
assisted by SI Dalbir Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has filed this petition seeking grant of regular bail in a case registered against him vide FIR No.1306, dated 24.10.2019, Police Station City Jagadhri, District Yamuna Nagar, under Section 379-A IPC.
2. The FIR in question was registered at the instance of Devender Pal wherein it has been alleged that on 24.10.2019 at about 9.30 PM., when his wife Smt. Anita was returning back from Gurdwara while carrying a purse which contained an amount of Rs.50,000/- apart from an ATM card and a mobile, two young boys came on a motorcycle and pushed the complainant's wife and ran away while snatching her purse.
3. Learned counsel for the petitioner has submitted that he is not named in the FIR and in fact has been arrested after about one year of the alleged occurrence on the basis of some secret information allegedly

received by the police. It has been submitted that no sanctity and credibility can be attached to such secret information in the absence of any convincing evidence to connect the petitioner with the alleged occurrence. It has further been submitted that even the story unfolded in the FIR that the complainant's wife was returning back from Gurdwara at about 9.30 PM carrying an amount of Rs.50,000/- is highly unbelievable.

4. On the other hand, learned State counsel submitted that since a reliable secret informer had disclosed the name of the petitioner and in fact subsequently purse belonging to the complainant's wife was recovered at the instance of the petitioner, the complicity of the petitioner is clearly evident. Learned State counsel has however informed that the petitioner has been behind bars since the last 2 months and that there is one more case against him in which he has been involved after he was arrested in the present case.
5. I have considered rival submissions addressed before this Court. Keeping in view the facts and circumstances of the case especially that it is a case where the petitioner is not named in the FIR and has been arrested after about one year of alleged occurrence on the basis of some secret information received by the Police, it would certainly be debatable as to whether such secret information can be relied upon or not. Further while noticing the fact that the conclusion of trial is likely to take time as none of the cited PWs has been examined so far, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be

released on regular 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

04.11.2020

Vimal

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