

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

**CRM-M-35333-2020 (O&M)
Date of decision: 05.11.2020**

Sahil

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Sandeep Kumar, Advocate,
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

Ritu Bahri, J.

This petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.250 dated 17.08.2020, under Sections 120-B/148/149/285/323/379-A/427/506 IPC and Section 25 of Arms Act, 1959, registered at Police Station, Rai, District Sonipat.

Learned counsel for the petitioner, while referring to the allegations in the FIR, contends that the role attributed to the present petitioner is with respect to giving a slap to the father of complainant and he has not been attributed any role with respect to commission of offence under Sections 379-A IPC and Section 25 of the Arms Act.

At this stage, learned State counsel, while referring to the order dated 09.10.2020 (Annexure P-1) passed by the Additional Sessions Judge, Sonipat, contends that the allegation of snatching of Rs.30,000/- has been

attributed to all the accused, who had entered the shop of the complainant. She further states that 11 out of 29 co-accused are still to be arrested.

A perusal of the contents of FIR, as reproduced in para 02 of the petition, shows that the role attributed for causing injury has been given to Bharat, Inderjit and Shokeen. As per the complainant, he had demanded *theka* papers from Bhukha, Jagbir and Bholu and they refused to give the same. As per allegations made in the FIR, no specific role has been attributed to the present petitioner.

Learned State counsel, on instructions, informs that challan, in this case, has not been presented so far. On a specific query, she states that no other criminal case is pending against the petitioner.

Learned counsel for the petitioner further contends that no recovery has been effected from the petitioner.

Heard.

Keeping in view that no other criminal case is pending against the petitioner; the period of incarceration of the petitioner and the fact that the trial will take some time for its conclusion, this Court feels that no purpose will be served by detaining the petitioner any longer. Accordingly, this petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing of bail/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, Sonipat.

05.11.2020
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No