

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

CRM-M No. 50636 of 2019

DATE OF DECISION :- January 15, 2020

Ajju alias Ajruddin

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Ashish Gupta, Advocate for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

This petition for regular bail has been filed by petitioner Ajju alias Ajruddin, an accused in F.I.R. No. 309 dated 13.7.2019 under Sections 379-B, 34 of IPC and Section 25 of the Arms Act registered with Police Station Ferozepur Jhirka, District Nuh.

Briefly stated the case of the prosecution is that on 12.7.2019 at about 8.30 P.M. complainant Krishan Kumar after closing his shop was going on motor cycle driven by complainant on which his employee Sumit was pillion rider and was carrying two bags containing cash of the shop. When they had reached near Jumma Masjid, two young boys came on a motor cycle and threw red chilly powder in their eyes. Resultantly, complainant and Sumit fell down. Those boys tried to take away the bags from Sumit. They were successful in snatching one of the bag containing

amount of Rs.15,000/-. The boys pointed a country made pistol on complainant and Sumit. On alarm being raised by complainant and Sumit the assailants ran away on the motor cycle. While doing so they extended a threat to them that if they reported the matter to the police they would be killed. According to the complainant those boys were Ajju son of Illi and Vicky son of Ramji Lal. The accused were arrested in this case on 14.7.2019. Appellant Ajju alias Ajruddin moved an application for regular bail before Sessions Judge, Mewat but was unsuccessful. Thereafter, he has approached this Court by way of similar request.

Notice of the petition has been given to the State which is opposing the prayer for grant of bail.

I have heard learned counsel for the petitioner and learned State counsel besides going through the record.

Though learned counsel for the petitioner has contended that out of both the eye witnesses examined by the prosecution during trial none of them have supported the prosecution story with regard to involvement of petitioner in the incident. He has placed on file copies of statements of PW1 Krishan Kumar and PW2 Sumit. Learned State counsel does not deny that both the eye witnesses have not supported the case of the prosecution story.

A per custody certificate placed on file by the learned State counsel, petitioner Ajju alias Ajruddin is in custody for 5 months and 29 days including remission. He is not shown to be involved in any other criminal case. Therefore, in view of the aforesaid circumstances, this petition is accepted. Petitioner Ajju alias Ajruddin is ordered to be released on bail on his furnishing bail bond and surety bond to the satisfaction of the

learned trial Court/CJM/Duty Magistrate, Mewat at Nuh. However, it is made clear that in case the petitioner is found indulging in any criminal act at a later stage, his order granting bail is liable to be withdrawn.

(H.S. MADAAN)
JUDGE

January 15, 2020
p.singh

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No