

CRM-M-50495-2019
CRM-M-53113-2019

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214 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision: 05.03.2020

CRM-M-50495-2019

Rohit

... Petitioner

v/s

State of Haryana

... Respondent

CRM-M-53113-2019

Deepak

... Petitioner

v/s

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Balram Prashar, Advocate for
Mr. Jagmohan Ghumman, Advocate
for the petitioner in CRM-M-50495-2019.

Mr. Sankalp, Advocate
for the petitioner in CRM-M-53113-2019.

Mr. Baljinder Singh Virk, DAG Haryana assisted by
ASI Manoj.

* * *

VIVEK PURI, J. (ORAL)

Petitioners have prayed for grant of regular bail in case FIR
No. 62 dated 22.01.2019 registered under Section 379-B and 34 of IPC and
Section 25 of Arms Act, 1959 at Police Station Gurgaon, Sadar Gurugram.

Briefly, the FIR has been registered on the basis of the
statement of Tarun Sharma alleging that on 21.1.2019 he was returning back

to his house after his duty hours. At about 7.30 p.m. he reached near Rajiv Chowk. Meanwhile, a white coloured Alto car stopped near him and the occupants of the car offered lift to him. The complainant sat in the car and after covering some distance, the occupants of the car snatched the mobile phone and purse at the pistol point and threw the complainant out of the car at a deserted place.

Both the petitioners along with co-accused namely Bhanu Partap and Rahul were nominated in pursuance of their disclosure statement in consequence of their arrest in another case registered against them.

It has been stated by learned counsel for the petitioners that the arrest of the petitioners was effected on 16.2.2019, they are on bail in the other case and co-accused namely Bhanu Partap and Rahul have been granted concession of regular bail by the learned trial Court.

It has further been stated that the investigation of the case is complete and the conclusion of trial may take some time.

On the contrary, learned State counsel has pointed out that the case of Rahul, co-accused is not at par with the petitioners as he was not identified during the course of test identification parade.

However, it is significant to note that the case of the petitioners is at par with Bhanu Partap, co-accused who was also identified by the complainant during the course of test identification parade and challan is stated to have been presented on 4.5.2019. Eight witnesses have already been examined and the conclusion of trial is likely to take some more time and no further fruitful purpose would be served by detaining the petitioners in custody, particularly, when co-accused Bhanu Partap, whose case is at

parity with the petitioners, has already been granted regular bail.

Considering the above and the fact that the trial is likely to consume some time, further detention of the petitioners may not be justified. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioners be released on regular bail subject to their furnishing fresh bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate within a reasonable time that may be granted by the concerned Court.

The petitions are allowed.

05.03.2020
Janki

(VIVEK PURI)
JUDGE

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