

217 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54696-2019
Date of decision-08.01.2020

Rohit

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. R.K.Girdhwal, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

MANOJ BAJAJ, J.

Petitioner-Rohit has preferred this petition under Section 439 Cr.P.C for grant of regular bail in case FIR No.284 dated 09.07.2019 under Sections 406 and 201 read with Section 34 of Indian Penal Code, 1860 registered at Police Station Urban Estate, District Rohtak, Haryana. The petitioner is in custody since his arrest on 21.08.2019.

The FIR was registered on the statement of Ankit son of Hari Singh wherein it was alleged that on 09.07.2019 when complainant was on his way to his house, then two young boys came on a motorcycle from the side of Sheela Bypass, Rohtak and asked him to give his mobile phone as they have to make urgent call. When he gave his mobile phone (Samsung Galaxy J-7) to them, they fled away on their motorcycle with his mobile. On these allegations, FIR was registered.

Learned counsel contends that the petitioner has been falsely implicated in the present case. It is pointed out that the petitioner is not

named in the FIR. He states that the petitioner is in custody since 21.08.2019 and challan stands filed, therefore, further custody may not be necessary.

On the other hand, learned State counsel who is assisted by ASI Rohtash opposed the prayer. However, she does not dispute that the petitioner is not named in the FIR. She has apprised the Court that the case is fixed for today for framing of charges.

Considering the above background and the custody of the petitioner, this Court does not find any reason to further detain the petitioner. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

08.01.2020
vanita

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