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

**CRM-M No.1428 of 2021(O&M)
Date of Decision:15.02.2021**

Vishal

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Ms. Pushpinder Kaur, Advocate
for the petitioner.

Mr. Rajat Gautam, DAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.103 dated 12.03.2017 registered under Section 379-A(2) IPC (Section 411 IPC added later on) at Police Station City Kaithal, District Kaithal.

As per allegations of the complainant, his friend Vishal (petitioner) came to his house on 10.03.2017 at about 3:45 PM and asked him to go Janta Market to take money from his father. The accused requested him to drop him in the market. On request of Vishal (petitioner), the complainant took him on

his motorcycle to Janta Market. When he stopped his motorcycle, then Vishal (petitioner) alighted from the motorcycle. When the complainant took out his mobile to make a call, then Vishal (petitioner) snatched the same and fled away.

During investigation, Vishal (petitioner) and co-accused Sham Lal were arrested. Offence under Section 411 IPC was added. Recovery of mobile was effected from co-accused Sham Lal. Sham Lal earlier filed CRM-M No.35962 of 2020 and after withdrawal of the same, filed regular bail before the trial Court, which was accepted on 28.01.2021.

Learned counsel further submitted that at one point of time, the petitioner was declared proclaimed person vide order dated 08.01.2018. He was arrested on 12.10.2020 and since then, he is in custody. Challan has been submitted, but no prosecution witness has been examined so far.

The factual matrix of the case could not be disputed by the learned State counsel on instructions from ASI Ramesh Chander.

Recovery has been effected from co-accused Sham Lal. Co-accused Sham Lal has been granted regular bail by the trial Court. The trial may take some time in its culmination.

Keeping in view the aforesaid facts and circumstances

of the case and without adverting to the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

15.02.2021

Prince

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No