

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

**CRM-M-1427-2021  
Date of Decision : 18.03.2021**

**Anil Kumar @ Mundra**

**....Petitioner**

**Versus**

**State of Haryana**

**....Respondent**

**CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN**

Present : Mr. Mazlish Khan, Advocate  
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

(Through Video Conferencing)

**ARVIND SINGH SANGWAN, J. (Oral)**

This is a petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No. 313 dated 03.10.2020 under Section 397 (Sections 394, 458 and 120-B added later on) of the IPC, 1860 registered at Police Station Uchana, District Jind, Haryana.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of complainant-Rajender, it is stated that he is a salesman on a liquor shop and on the date of incident, when he was sleeping inside the liquor shop, he heard the noise of opening of the door and when he woke up, he saw that two persons entered into the liquor shop with an intention to rob him and one person attacked him and caused him injuries. Both the accused, later on fled away with cash amounting to Rs.10,000/- to 12,000/- approximately.

Learned counsel for the petitioner further submits that the petitioner has no connection with co-accused Rahul @ Bholu, on whose disclosure the petitioner was involved in the present case.

Learned counsel for the petitioner further submits that in compliance of the order dated 17.02.2021, directing the Investigating Officer to file a specific affidavit whether any call details of petitioner with the co-accused is there to show that immediately before and after the occurrence, they were talking to each other or not, an affidavit has been filed and in para 12 of the said affidavit, it is stated that as per the call detail records for the period 02.10.2020 to 04.10.2020, there were no calls between the petitioner and the co-accused, however, later on, during investigation co-accused Rahul @ Bholu disclosed the name of the petitioner.

Learned counsel for the petitioner further submits that petitioner is in judicial custody for the last about 04 months and 19 days and is not involved in any other case.

Learned State counsel, on the basis of the custody certificate filed today in Court as well as in view of aforesaid affidavit, has not disputed the factual position.

I have heard learned counsel for the parties.

Without commenting on the merits of the case, considering the fact that petitioner is in judicial custody since 29.10.2020; he is not involved in any other case and also in view of the affidavit given by the Deputy Superintendent of Police concerned, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

18.03.2021

Waseem/Chetan

**(ARVIND SINGH SANGWAN)**  
**JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No