

220.

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

CRM-M-2742-2021 (O&M)

Date of decision: 03.03.2021.

SURESH KUMAR

... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Gourav Jain, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

CRM-2026-2021

Prayer in this application filed under Section 482 Cr.P.C. is to place on record the amended bail application.

For the reasons stated in the application, same is allowed and the amended bail application is taken on record.

CRM-M-2742-2021

This is second petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.215 dated 20.05.2020 registered under Section 379-A/34 of IPC at Police Station City Tohana, District Fatehabad.

The earlier petition filed by the petitioner i.e. ***CRM-M-18992-2020*** was dismissed as withdrawn vide order dated 17.09.2020.

It is the case of the prosecution that on 20.05.2020, the present petitioner alongwith co-accused entered the shop of the victim-Surjeet so as to purchase medicine. Thereafter, the petitioner alongwith the other co-accused had forcibly snatched Rs.2,000/- from the victim-Surjeet and had fled away from the spot. The victim along with his friend Pawan had chased the petitioner and the co-accused and they were apprehended near the ITI Tohana.

Counsel for the petitioner submits that the petitioner is in custody since 20.05.2020. The co-accused Bittu @ Sarkaru @ Jagjit has been admitted on bail by this Court vide order dated 04.11.2020 passed in ***CRM-M-34116 of 2020*** titled as ***Bittu @ Sarkaru @ Jagjit Versus State of Haryana***. Though there are three other cases against the petitioner, but he is on bail. Trial in the case will take long time.

Learned State counsel has filed the custody certificate, which is taken on record. She submits that since the petitioner is involved in number of other cases of similar nature, he has no right to be admitted on bail.

I have heard learned counsel for the parties.

Noticing the fact that the petitioner is in custody since 20.05.2020 and the allegation in the case is of snatching of Rs.2,000/- from the complainant and that the petitioner thereafter fled away from the spot, is a matter to be decided by the trial Court, of course on the basis of evidence, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

However, the petitioner shall be required to report to the police station every quarterly so that his conduct can be watched by the police.

It is made clear that in case the petitioner is found involved in any other case, the prosecution shall be at liberty to seek cancellation of his bail in the present case as well.

(HARI PAL VERMA)
JUDGE

03.03.2021
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.