

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-5835-2021 (O&M)
Date of Decision:- 12.2.2021

Vishnu @ Khadak Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Amit Choudhary, Advocate, for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana,
assisted by ASI Shiv Charan.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in a case registered vide FIR No. FIR No.333, dated 26.10.2020, Police Station Hathin, District Palwal, under Sections 379-B, 506 and 34 IPC and Section 25 of Arms Act.

2. The FIR was lodged at the instance of Davinder Kumar wherein he alleged that on 26.10.2020 at about 7.40 pm. three young boys entered into his shop who were having their faces muffled and one of them was brandishing a country made pistol and while threatening and intimidating him made him part with an amount of ₹2.75 lakhs. It is further alleged that the said robbers who were on a motorcycle also took away his mobile phone as well as mobile phone of Chander Bhan who was present in his shop.
3. Learned counsel for the petitioner has submitted that he is nowhere named in the FIR and has been arrested subsequently on the basis of some alleged secret information that he had participated in the occurrence whereas there is no credible evidence to connect him with the alleged theft.
4. Opposing the petition, learned State counsel has submitted that it was pursuant to receipt of secret information that the petitioner and his co-accused Rahul @ Popal were arrested on 26.10.2020 and that both the accused were found to be carrying Rs.38,500/- each and co-accused Rahul was also found to be carrying a country made pistol. It is further the case of prosecution that a knife, stolen mobile phones and the motorcycle used in the occurrence was also recovered from the petitioner. Learned State counsel has however, informed that the petitioner as on date has been behind bars since the last more than 3 months and that challan stands presented and that the petitioner is not involved in any other case.
5. I have considered rival submissions before this Court.

6. Given the fact that the challan already stands presented and the petitioner is not even stated to be involved in any other case, further detention of the petitioner will not serve any useful purpose as conclusion of trial is likely to consume time. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

February 12, 2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No