

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

Sr. No.203

CRM-M-6493 of 2021

Date of Decision: 22.11.2021

Sukwinder Singh alias Kaka and another

.... Petitioners

Versus

The State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. Satbir Singh Gill, Advocate for the petitioners.

Mr. Dhruv Sihag, AAG, Haryana.

SANT PARKASH, J. (ORAL)

The instant petition has been filed under Section 439 Cr.P.C. seeking grant of regular bail in case FIR No.320 dated 21.07.2020, registered under Sections 395 and 397 IPC at Police Station Rania, District Sirsa.

The allegation against petitioner No.1 is that he looted Rs.300/- from the complainant and petitioner No.2 was having a lathi/danda and gave beatings to the complainant. During investigation, petitioner No.1 got recovered looted amount of Rs.300/- and a danda allegedly used by him while committing the said offence.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present FIR. The complainant himself besides being a drug peddler, is drug addict and used to consume heroine and is involved in number of criminal cases. He further submits that it was on account of a scuffle that took place between the petitioners and the complainant, while the petitioners and their co-accused were trying to apprehend the complainant on receiving the information that the

complainant had struck a deal to get a doze of heroine consumed to the

brother of one of the accused persons, that the present FIR was got registered. Learned counsel also submits that the petitioners are in custody since 05.08.2020 and have been denied bail by lower Court vide order dated 30.01.2021.

Learned counsel for the State opposes the prayer made on behalf of the petitioners but does not dispute the facts with regard to the recovery having been effected from the petitioners as well as their period of custody.

I have heard the learned counsel for the parties and perused the case file.

The recovery effected from petitioner No.1 is only Rs.300/- and a danda allegedly used in committing the aforesaid offence. The petitioners are in custody since 05.08.2020 and challan stands presented. Therefore, no useful purpose would be served by keeping the petitioners behind bars. Moreover, the petitioners are not involved in any other criminal case and the conclusion of their trial may take some time.

Taking into consideration the totality of the circumstances and without commenting on the merits of the case, it is considered as appropriate to release the petitioners on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of the concerned trial court/Duty Magistrate/Chief Judicial Magistrate.

Accordingly, the petition stands allowed.

**(SANT PARKASH)
JUDGE**

22.11.2021
Maninder

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No