

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

CRM-M-9188-2021 (O&M)

Date of Decision:- 13.8.2021

Parshant

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Pratham Sethi, Advocate for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana.
assisted by ASI Vijay.

(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.340 dated 7.12.2020 under Sections 379-B/34 IPC (Section 379-B IPC deleted and Sections 394/397 added lateron) at Police Station Farrukhnagar, District Gurugram.
2. The FIR in question was lodged at the instance of Dilshad wherein it is alleged that he is plying his taxi through OLA and that on 6.12.2020, three persons sat in his car at Naurangpur Chowk. When they reached near Jhajjar, one of the boys placed a knife on his neck and commanded him to stop the vehicle. The complainant being scared, stopped the car. It is alleged that all the three persons alighted from the vehicle and gave beatings to him. It is alleged that one of them was being referred to as Parshant

(petitioner). Thereafter, the said persons took away the complainant's vehicle and also took an amount of ₹13,000/-, which was lying in the vehicle. He further stated therein that during the scuffle, a mobile phone make 'Redmi' had fallen at the spot.

3. The learned counsel for the petitioner submits that the petitioner has falsely been implicated in the instant case and that he has clean credentials. It has further been submitted that in the instant case, challan already stands presented and in these circumstances the petitioner is not required to be kept in custody any longer.
4. Opposing the petition, the learned State counsel has submitted that it is a case where the petitioner is specifically named in the FIR and that the mobile phone which was recovered from the spot, which had fallen during the scuffle, was found to be belonging to the petitioner, which would necessarily indicate his complicity in the matter. The learned State counsel, however, informed that the petitioner as on date has been behind bars since the last about 8 months and that he is not involved in any other case.
5. I have considered rival submissions addressed before this Court.
6. Without commenting anything as regards the merits of the case and while noticing the custody of 8 months and also the fact that the petitioner is not involved in any other case and that challan already stands presented, further detention of the petitioner will not serve any useful purpose.

7. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

13.8.2021

kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No