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

**CRM-M No.10664 of 2021(O&M)
Date of Decision: 08.10.2021**

Vikas @ Bhasuri

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. KDS Hooda Advocate
for the petitioner.

Mr. Anant Kataria, DAG, Haryana.

Mr.Shubham Kaushik, Advocate
for the complainant.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.479 dated 11.08.2020 registered under Sections 395, 387, 325, 506, 120-B IPC at Police Station City Hansi, District Hisar.

As per allegations in the FIR, complainant Ankit has alleged that he is running a shop in the name of Guru Nanak Mishthan Bhandar. He reached his shop at about 3:20 PM and

received a call from the petitioner and the petitioner started abusing him on telephone. Complainant also abused him and disconnected the phone. After some time, 8-9 persons in muffled faces came along with the petitioner duly armed with sticks and rods. They started giving beatings to the complainant. Parents of the complainant tried to rescue him and they were also given beatings. The assailants took away an amount of Rs.60,000/- and one gold chain weighing 3 tola from the cash box. Complainant further alleged that on 10.08.2020, Kaku and Prince @ Dhannu who are associates of the petitioner had some watch over the activities of the petitioner. On raising alarm, number of people gathered and the assailants fled away from the spot after giving threats that the complainant should arrange an amount of Rs.5 lacs within two days, otherwise he would be done to death.

Learned counsel for the petitioner submits that all the accused except the petitioner have already been released on anticipatory bail/regular bail by different Courts. As per disclosure statement of co-accused Abhishek, share of the petitioner came out to be 9000/- and out of which, an amount of Rs.1900/- has been recovered from the petitioner. The amount recovered would remain debatable for want of particulars of the exact currency allegedly looted from the shop of the

complainant. The assailants were shown to be in muffled faces. Though the petitioner has been named in the FIR, but he has not given any specific injury on the person of the complainant as the complainant has alleged that all the assailants gave collective beatings to the complainant. So far as recovery part is concerned, the case of the petitioner is at par with other co-accused from whom recoveries are shown to have been effected. Petitioner is in custody since August 2020. Challan has been submitted, but charges have not been framed so far. Trial of the case in any case, will take some time in its culmination.

Learned State counsel duly assisted by learned counsel for the complainant, however, opposed the bail on the ground that the petitioner was seen in the CCTV coverage and has actively participated in the occurrence.

This fact alone would not distract this Court from passing the present order for regular bail in favour of the petitioner as the same allegation was also alleged at the time of granting anticipatory bail to co-accused Raghav @ Sonu, who has been granted anticipatory bail vide order dated 15.02.2021 passed in CRM-M No.43565 of 2020.

Having heard arguments of learned counsel for the parties, keeping in view the allegations, stage of the trial, custody of the petitioner and the situation arising out of COVID-

19 pandemic, I deem it appropriate to enlarge the petitioner on regular bail without meaning anything on merits of the case.

In view of above, petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

08.10.2021

Prince

Whether speaking/reasoned

Whether reportable

**(RAJ MOHAN SINGH)
JUDGE**

Yes/No

Yes/No