

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

(Sr. No. 202)

CRM-M No. 11265 of 2021

Date of decision : 06.07.2021

Ravi

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Kunal Dawar, Advocate for the petitioner.
Mr. Aman Bahri, Addl. A. G., Haryana.

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DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.220 dated 14.09.2020 under Section 379-B IPC and 25/54/59 of the Arms Act registered at Police Station Sarai Khawaja, district Faridabad.

Suraj Gupta filed a complaint to the police that on 13.09.2020, at about 11:00 p.m., when he was walking back from his friend's house and reached near the cremation ground liquor vend, one person, by pointing a countrymade pistol at him, snatched his mobile. On the basis of such complaint, the above said FIR was lodged; the petitioner was arrested and his interrogation led to the recovery of the complainant's phone and a countrymade pistol.

Learned counsel for the petitioner contends that the petitioner who is a young man aged 23 years has been falsely implicated in this case; there is no other criminal case in which he is involved; the petitioner is in custody since 14.09.2020; the complainant while appearing before the Trial Court as a witness for the prosecution has turned hostile making the petitioner's chances of conviction extremely dim and that the petitioner's trial in which five prosecution witnesses still remain to be examined would take a long time to conclude.

Learned State counsel opposes the grant of bail to the petitioner on the ground that the petitioner has indulged in snatching of a phone at gun point.

The petitioner is a young man aged 23 years; there is no other criminal case in which he is involved; the complainant while appearing before the Trial Court as a prosecution witness has refused to toe the line of the prosecution and that the petitioner's trial in which five prosecution witnesses still remain to be examined is likely to take a long time to conclude especially in the present circumstances when the world is facing the COVID-19 pandemic.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Faridabad the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and

the same would not be construed to be an expression of opinion on the merits of the case.

06.07.2021
sunil yadav

(DEEPAK SIBAL)
JUDGE

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