

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

**CRM-M-11056 of 2021 (O&M)
DATE OF DECISION :- May 25, 2021**

Sumit @ Monu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Manoj Tanwar, Advocate for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.

CRM No. 14337 of 2021

The case has been taken up through Video Conferencing.

This is an application for pre-poning the date of hearing of the main case fixed for 26.8.2021.

Heard.

Allowed. The main case is taken up today for hearing.

CRM-M-11056 of 2021

This petition for regular bail has been filed by petitioner Sumit @ Monu son of Sh. Om Parkash, aged 28 years, resident of village Khatod, Tehsil and District Mohindergarh, Haryana an accused in F.I.R. No. 616 dated 18.12.2020 registered with Police Station City Mohindergarh, District Mohindergarh for offences under Sections 201, 341, 379-A, 427, 34 IPC.

In nutshell, the prosecution story is that on 19.12.2020 at about 8.30 A.M., Vinod Sharma son of Ishri Sharma, resident of Ghari (Rajora Kalan) District Dholpur, Rajasthan, while driving pickup container bearing No.

RJ-32GC-2212 loaded with milk packets along with Dharminder as his conductor was returning to Kotputli and when they had reached near Kainchi turn, Mohindergarh a Swift Car white in colour came from behind. Two young boys were sitting in that Car. They intercepted the vehicle of the complainant. One boy alighted from the Car and asked the complainant to open the door of his vehicle. When complainant resisted, the other boy sitting in the Car came out having a pana and broke glass pane of the pick up vehicle. They started beating up the complainant and the conductor and snatched mobile phone and Rs.91,000/- in cash from the complainant and thereafter left in their Swift Car bearing No. HR-81-4222.

On complainant reporting the matter to the police, formal F.I.R. was registered. The investigation in the case started. Rahul @ Shooter son of Dharmender was arrested in this case and during interrogation he suffered a disclosure statement and got the mobile phone of the complainant recovered from his possession. On 6.1.2021 petitioner accused Sumit @ Monu was arrested. During course of investigation, he suffered disclosure statement and in pursuance thereof got Rs.2630/- recovered from his possession. On completion of investigation, challan against him has been filed but charge is yet to be framed. Petitioner accused Sumit @ Monu had filed an application for grant of regular bail before the Court of Sessions at Narnaul. His such application which was assigned to Additional Sessions Judge, Narnaul was, however, dismissed vide order dated 26.2.2021. Feeling aggrieved, he has approached this Court craving for grant of similar relief which request is being opposed by the State counsel.

I have heard learned counsel for the petitioner and learned State counsel besides going through the record.

Though challan against the accused is said to have been filed but charge is yet to be framed In that way, conclusion of trial is likely to take

considerable time, more so when the working of the Courts has been restricted on account of second wave of Covid-19. The guilt of the accused shall be determined during the trial. The petitioner accused is in custody since 6.1.2021 i.e. for a period of more than five months. On being asked, learned State counsel on instructions has informed that petitioner is not involved in any other criminal case.

Therefore, without going into the merits of the case, I find that the petition deserves to be accepted and it is hereby allowed. Petitioner Sumit @ Monu is ordered to be released on bail on his furnishing bail bond and surety bond to the satisfaction of the learned trial Court/CJM/Duty Magistrate, Narnaul subject to the following conditions :-

- (i) he shall appear in the Court on each and every date of hearing.
- (ii) he shall not give any threat or intimidation to the prosecution witnesses.
- (iii) he shall not leave India without prior permission of the Court and shall surrender his Passport, if he has got one, otherwise to furnish affidavit in that regard.
- (iv) he shall not indulge in any criminal activity.

In case the petitioner violates any term and condition on which the bail has been granted to him, the prosecution would be entitled to apply for cancellation of bail. However, nothing discussed above shall have any bearing on the merits of the case.

(H.S. MADAN)
JUDGE

May 25, 2021
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No