

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

(Proceedings through Video Conferencing)

**CRM-M-12891-2021 (O&M)
Date of Decision : 23.08.2021**

Anil @ Sonu

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Lekh Raj Nandal, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN (Oral)

Prayer in this petition is for grant of regular bail to the petitioner in case FIR No.365 dated 19.09.2020, registered under Sections 395, 397, 427, 506 IPC and Section(s) 25/54/59 of the Arms Act, at Police Station Rohtak Sadar, District Rohtak.

Learned counsel for the petitioner submits that as per the allegations in the FIR, registered at the instance of one Sandeep Kumar son of Hoshiar Singh, who was working as a salesman on the wine shop, on the date of incident, he alongwith one Sandeep son of Balwan was present on the wine shop and two cars stopped before the shop. Eight-ten persons came out of the said cars and out of them 2-3 persons carrying weapons and by showing the pistol from the window of the shop, threatened the complainant and Sandeep son of Balwan to give all the cash otherwise they will be killed. On that, the complainant gave Rs.4,000/- and 8-10 wine bottles to the said persons.

Learned counsel for the petitioner submits that the petitioner is in custody for the last about 10 months; he was not named in the FIR and he was arrested on the basis of disclosure statement made by co-accused. Learned counsel for the petitioner further submits that the petitioner is not involved in any other case and is a first offender.

Learned State counsel, on the basis of affidavit of Deputy Superintendent of Police, Rohtak, has submitted that one car and a stick were recovered from the petitioner. It is also submitted that petitioner is involved in one more FIR No.71 dated 22.02.2017, registered under Sections 279, 304-A IPC and Sections 3/181, 146, 196 of the Motor Vehicles Act, at Police Station Sadar, Rohtak. It is further submitted that the charges have already been framed and out of 20, no prosecution witness has been examined.

After hearing the learned counsel for the parties, without commenting upon the merits of the case and considering the aforesaid submissions and the facts that the petitioner was initially not named in the FIR; he is in custody for about 10 months and the trial of the case will take sometime, the present petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate concerned.

(ARVIND SINGH SANGWAN)
JUDGE

23.08.2021
mamta

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No