

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

208

CRM-M-19020-2021 (O&M)

Date of decision: 21.05.2021

KAPIL AND ANOTHER

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present : Mr. JS Saneta, Advocate for the petitioners.

Ms. Kirti Singh, DAG, Haryana.

ANIL KSHETARPAL, J. (Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

The petitioners prays for bail pending trial in FIR No.734 dated 29.09.2020, registered under Sections 379-A and 201 IPC, at Police Station City Thanesar, District Kurukshetra.

In this case, the FIR was registered by Shally Anand. She suffered a statement that two young persons have snatched her mobile phone (Redmi Note-8 Pro) on 29.09.2020.

As per the case of the prosecution, the petitioners were apprehended on 22.12.2020 and on their disclosure statements, the mobile phone was recovered.

Learned counsel representing the petitioners contends that the

petitioners are in custody since 22.12.2020 and on the completion of investigation, challan has already been presented by the police. He further contends that the petitioners have been falsely implicated and they have no past criminal antecedents.

Per contra, Ms. Kirti Singh, DAG, Haryana, has submitted that the petitioners have committed a heinous crime.

The petitioners have already suffered incarceration for a period of 5 months approximately. Ms. Kirti Singh, DAG, Haryana, has admitted that the petitioners do not have any criminal past. The Trial Court is yet to frame charges, therefore, the completion of trial is likely to take time.

Without commenting on the merits of the case and keeping in view the fact that the petitioners are in custody since 22.12.2020 and the conclusion of the trial is likely to take time, the petitioners are directed to be released on regular bail subject to furnishing of adequate surety to the satisfaction of the Trial Court/Chief Judicial Magistrate, concerned.

Accordingly, the petition is allowed with the aforesaid directions.

21.05.2021

ashok

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No