

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

Criminal Misc.-M No.19318 of 2021

Date of Decision: July 07, 2021

Sidhanshu

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Naresh Kumar Chhokar, Advocate,  
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

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**MANOJ BAJAJ, J.**

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.24 dated 11.01.2021, under Sections 379-A and 34 IPC, 1860, registered at Police Station, Chandnibagh, District Panipat. The petitioner is in custody since his arrest on 15.02.2021.

The above FIR was registered on the complaint dated 11.01.2021 of complainant Om Parkash, wherein it was stated that on 11.01.2021, he had brought ₹ 30,000/- from his uncle Ishwar and was going to his factory on feet via Floora Chowk. At about 08:00 PM, when he reached near Sanjay Chowk, three boys came on a motorcycle from behind and under the garb of demanding a biri, they snatched ₹ 30,000/-, mobile and wallet of the complainant. There were DL, voting card, pan card, ATM

in the wallet of the complainant and there was SIM number 8930909037 in the mobile of the complainant. The complainant could not note down the registration number of the motorcycle. On these allegations, the above FIR was registered.

Learned counsel for the petitioner has argued that the alleged stolen mobile was recovered from his co-accused, namely, Rohit, who has been granted bail by the trial court and during investigation, nothing was recovered from the petitioner. He submits that as final report has already been filed, therefore, the petitioner be released on regular bail as the trial is not making any headway.

On the other hand, learned State counsel, assisted by ASI Rajbir Singh, has opposed the prayer and submitted that though the challan in this case was filed on 01.04.2021, but the charges are yet to be framed. He further submits that the co-accused was released on bail being juvenile. However, it is not disputed by him that during investigation, nothing was recovered from the petitioner. He, on instructions, further states that the petitioner is involved in another case of theft.

After hearing the learned counsel for the parties, this Court finds that the trial is yet to commence, therefore, considering the custodial period of the petitioner, this Court is of the opinion that the further custody of the petitioner may not be necessary for any useful purpose, who is presently confined in judicial custody after his arrest on 15.02.2021. The trial is likely to consume considerable time to conclude as the charges are yet to be framed.

Resultantly, without meaning any expression of opinion on the merits of the case, the petition is allowed and it is ordered that the petitioner

be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate, Panipat.

**July 07, 2021**  
**ramesh**

**( MANOJ BAJAJ )**  
**JUDGE**

|                                  |               |
|----------------------------------|---------------|
| <b>Whether speaking/reasoned</b> | <b>Yes/No</b> |
| <b>Whether Reportable:</b>       | <b>Yes/No</b> |