

**In the High Court for the States of Punjab and Haryana  
At Chandigarh**

CRM-M-23185-2021 (O&M)  
Date of Decision:-30.6.2021

|                  |        |                |
|------------------|--------|----------------|
| Vicky            | Versus | ... Petitioner |
| State of Haryana |        | ... Respondent |

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Ivneet Singh Pabla, Advocate for the petitioner.

Ms. Sheenu Sura, DAG, Haryana,  
assisted by ASI Raj Kumar.

*(proceedings conducted through video conferencing)*

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**GURVINDER SINGH GILL, J.**(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.38 dated 11.2.2021 at Police Station Assauda, District Jhajjar under Sections 379-B, 506, 201, 34 of Indian Penal Code and Sections 25 and 27 of Arms Act, 1959.
2. The FIR was lodged at the instance of Mohammad Ansar, wherein it is alleged that on 27.1.2021 when he was proceeding towards his rented room after finishing work in the company where he was working, two persons came on a motorcycle who were having their faces muffled with cloth. It is alleged that the person sitting on the pillion seat brandished a pistol and snatched his mobile phone.
3. Learned counsel for the petitioner has submitted that a false FIR has been registered wherein no one is named and that the falsity of the allegations

would be evident from the fact that the FIR came to be lodged after about two weeks of the alleged incident.

4. Opposing the petition, learned State counsel has submitted that since it is a case where the petitioner himself made a disclosure statement while he was in custody in another case, his complicity in the instant matter is clearly evident. Learned State counsel has informed that the petitioner has been in custody since the last about 4 months and that the petitioner happens to be involved in one more case. Learned State counsel has, however, informed that challan already stands presented and that till date none out of the cited 20 PWs has been examined.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the fact that the only evidence against the petitioner is his own disclosure statement, the veracity and admissibility of which would be debatable and that the conclusion of trial is likely to consume time as none out of the cited 20 PWs has been examined so far, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
7. It is, however, clarified that none of the observations made above shall be taken to be an expression on merits of the main case.

**30.6.2021**

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**( Gurvinder Singh Gill )**  
**Judge**

Whether speaking /reasoned                      Yes / No

Whether Reportable                                  Yes / No