

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

CRM-M-23479-2021 (O&M)
Date of Decision:-30.6.2021

Abhishek Kumar @ Golu

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ashish Grewal, Advocate for the petitioner.

Mr. Vishal Kashyap, AAG, Haryana,
assisted by ASI Julphikar Ali.

(proceedings conducted through video conferencing)

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.29 dated 19.2.2021 at Police Station Buria, Yamunanagar (Haryana) under Sections 379-B and 34 of Indian Penal Code.
2. The FIR was lodged at the instance of Sunil Kushwaha, wherein it is alleged that he sells vegetables and that on 19.2.2021 three persons came on a motorcycle and gave beatings to him and snatched his wallet which contained an amount of ₹7,000/-, his Aadhar Card and some other documents.
3. Learned counsel for the petitioner has submitted that the petitioner has nowhere been named in the FIR and was arrested on 20.2.2021 on the basis

of some alleged secret information, the source of which has not been disclosed by the prosecution. It has further been submitted that since the petitioner has been behind bars since the last about 4 months and challan already stands presented, further detention of the petitioner is not required particularly when the petitioner is not even involved in any other case.

4. Opposing the petition, learned State counsel has submitted that since an amount of ₹1,000/- and motorcycle were recovered from the petitioner, his complicity is clearly evident. Learned State counsel has further submitted that the existence of two simple injuries on the person of the complainant would also substantiate the case of the prosecution. Learned State counsel has, however, informed that the petitioner has been behind bars since the last about 4 months and is not involved in any other case.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case particularly that the petitioner is not named in the FIR and has subsequently been arrested on the basis of some secret information allegedly received by the police and while also noticing that the petitioner has been behind bars since the last about 4 months and is not stated to be wanted in any other case, 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.

30.6.2021

pankaj

Whether speaking /reasoned

Whether Reportable

Yes / No

Yes / No

**(Gurvinder Singh Gill)
Judge**