

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-23799 of 2021
Date of decision:30.06.2021

Manish

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Chand Ram Olla, Advocate
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

The petitioner is seeking regular bail in case FIR No.75 dated 17.03.2021 registered under Section 379-A of Indian Penal Code, 1860 at Police Station Urban Estate, Hisar.

FIR (Annexure P-1) came to be registered on the complaint of Rohan Paroha on the allegation that on 17.03.2021, an un-known person, who was riding a motorcycle, snatched a purse containing Rs.1500/- and a mobile phone from his wife and fled away from the spot.

Counsel for the petitioner submits that the petitioner, who is a young boy of 20 years of age, has been falsely framed and he has not been

named in the FIR. It is his argument that the prosecution has not been able to collect any incriminating material to connect the petitioner with the crime. He submits that the investigation is complete, challan has been presented and the petitioner, who has un-blemished antecedents and is in custody since 15.04.2021, deserves to be enlarged on bail.

Per contra, State counsel upon instructions from SI Sahab Singh has opposed the petition and submits that the stolen articles, motorcycle used in the crime and Rs.215/- have been recovered from the petitioner. On further instructions, he submits that challan has been presented on 23.04.2021 and the charge is yet to be framed.

I have considered the rival submissions of the parties.

The material collected by the prosecution is debatable. This Court *prima facie* is of the opinion that the petitioner deserves to be released on bail during the pendency of the trial.

Keeping in view the facts and circumstances, nature of allegations, the gravity of offence, period of incarceration of the petitioner and the fact that trial is likely to take time to conclude, no purpose would be served by keeping the petitioner behind bars any further.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

It is clarified that any observation made hereinabove shall not be construed to be a reflection of opinion on the merits of the case.

The petitioner will furnish an undertaking to the effect that henceforth, he will not indulge in any criminal activity and in case, he violates the undertaking, it will be open to the prosecution to seek cancellation of the bail.

(SUVIR SEHGAL)
JUDGE

June 30, 2021
savita

<i>Whether Speaking/Reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes/No</i>