

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

**CRM-M-24299-2021 (O&M)
Date of decision: 24.11.2021**

Monu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Amit Choudhary, Advocate for the petitioner.

Mr. Surender Singh, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

This petition has been filed for grant of regular bail to the petitioner in case bearing FIR No.503 dated 21.10.2020 registered under Section 379-B IPC, Sections 397, 201 read with Section 34 IPC added later on, at Police Station City Tohana, District Fatehabad.

Learned counsel for the petitioner submits that the petitioner is 18 year old and has falsely been implicated in the above-noted FIR; that the petitioner was not named in the FIR; that co-accused has already been released on bail, and that there is no other case registered or pending against him, except case bearing FIR No. 329 dated 14.09.2017, registered under Sections 380 and 457 IPC, at Police Station City Tohana, District Fatehabad, in which being a juvenile, sentence of warning was issued to him. One Rohit,

from whom the alleged mobile phone was recovered, had disclosed that the said mobile phone was purchased from the petitioner. It is further submitted that the extra-judicial confession made by the petitioner is not admissible. The petitioner has been in custody since 05.02.2021.

Learned State counsel, while vehemently opposing the prayer for bail submits that the petitioner along with the co-accused has snatched a mobile phone and Rs. 500/- and the same has been recovered. However, he does not dispute the custody period of the petitioner. The prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 05.02.2021. The prosecution witnesses are yet to be examined. The conclusion of the trial would taken a long time. The recovery has already been effected Moreover, co-accused is on bail. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

24.11.2021

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No