

221(2)

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M-27389-2021
Date of decision: 25.10.2021

AMIT @ MITTA

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Ms. Sharmila Sharma, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner-Amit @ Mitta in case FIR No. 228 dated 09.10.2020, registered under Sections 406 and 34 of the IPC (Section 201 added later on) at Police Station Pillukhera, District Jind.

Learned counsel for the petitioner submits that as per allegation in the FIR registered at the instance of one Aman, he had gone to the market for haircut, in the meantime two persons approached him and requested him to give his motorcycle so as to enable them to get petrol from a petrol pump, however, later on, they did not return the motorcycle.

Learned counsel for the petitioner submitted that the petitioner was not named in the present FIR, however, he was arrayed as an accused on the basis of a disclosure statement of his co-accused and was arrested on 07.01.2021 and he allegedly got recovered number plat bearing registration

number HR-05U-1096. It is further submitted that the disclosure statement of the petitioner was recorded while he was in police custody and as thus the alleged recovery does not connected with the present offence.

The counsel for the petitioner submitted that the petitioner is a young man and he has been implicated only on the basis of disclosure statement of the other co-accused.

The learned counsel for the petitioner further submitted that the investigation of the case is already complete and the challan stands presented.

The learned State counsel has submitted that after the petitioner was arrested, on the basis of his disclosure statement, he was involved in the other FIRs and recovery of a stolen motorcycle was effected. The learned State counsel further submitted that the investigation is complete and challan stands presented.

As per the custody certificate filed in the Court, the petitioner is in custody for the last about 09 months and 18 days.

After hearing learned counsel for the parties and considering the aforesaid fact, the instant petition is allowed, the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

25.10.2021

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**(ARVIND SINGH SANGWAN)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*