

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

CRM-M-30738 of 2021

DECIDED ON: 10th August, 2021

Shanu

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Ajay Singh, Advocate for petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition seeking regular bail in case of FIR No. 1177 dated 8.12.2018, under Sections 395, 397, 120-B IPC, registered at Police Station Sadar Gurugram, District Gurugram.

A complaint was received from Ravinder Kumar Sharma. As per the contents on 8.12.2019, at around 12:30 AM while travelling in his car bearing registration No.HR-26EE-0990, he stopped on the way for having tea. A swift desire car having four occupants came there, two persons alighted from the car, one pointed pistol on chest of complainant and the other one snatched the keys of the car and they fled away. His laptop and documents were also lying in the car. During investigation of FIR No. 2401 dated 14.12.2019, Sunny @ Kutru, Sanu, Dalip @ Kali, Bhagti Lamba @ Nepali were arrested and from them snatched vehicle of complainant, one country made pistol and one live cartridge were recovered.

Learned counsel for the petitioner submits that the petitioner was not named in the FIR. There is no CCTV footage. No identification parade was got conducted. Learned counsel further argued that two co-accused Neeraj and Sunil have been granted bail.

Learned State counsel vehemently opposes the prayer for grant of regular bail. She submits that the recovery of snatched vehicle and country made pistol was made from the petitioner. There is involvement of petitioner in four more cases i.e. two under Section 379 IPC, one under Section 307 IPC and one under Section 148, 149, 506 and Arms Act. She contends that the petitioner is not at parity with co-accused who have been granted bail. There was no recovery made from the co-accused.

The allegations against the petitioner are serious. The fact that he has not been identified or not named in the FIR does not enhance the case of the petitioner for grant of bail. Recovery of snatched vehicle from the accused without there being any explanation as to how he was in possession of the same, at this stage, is sufficient. Mere period of custody in itself is not enough for grant of bail. Involvement of petitioner in other FIR is an indicator of his antecedents.

No ground is made out for grant of bail.

Dismissed.

10th August, 2021

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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes</i>