

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

Sr. No.222

CRM-M-33319-2021

Date of decision: 26.10.2021

Gulfam and another

....Petitioners

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Parminder Singh , Advocate and
Mr. Pawan Singh Gehlot, Advocate
for the petitioners.

Mr. Rahul Mohan, DAG, Haryana.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.158 dated 15.04.2021, registered under Sections 379-A, 120-B IPC at Police Station Industrial Sector-29, Panipat District Panipat.

The petitioners are being prosecuted for snatching the complainant's mobile phone and then fleeing on their motorcycle.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case; there is no other criminal case pending against them; the petitioners are in custody since 15.06.2021; the complainant while appearing before the Trial Court as a witness for the prosecution has specifically stated that it was not the petitioners who had committed the crime in question and that the petitioners' trial in which 07 prosecution witnesses still remain to be examined is likely to take a long time to conclude.

Learned State counsel opposes the grant of bail to the petitioners on the ground that if the petitioners are released on bail they may indulge in similar offences.

The petitioners are in custody since 15.06.2021; there is no other criminal case pending against them; investigation in the case is

complete; the complainant has already been examined before the Trial Court; while appearing before the Trial Court, the complainant has specifically stated that it was not the petitioners who had committed the crime for which they are accused of and that the petitioners' trial in which 07 prosecution witnesses still remain to be examined is likely to take a long time to conclude.

After considering the entire facts, the present case is considered to be a fit one in which the petitioners be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Panipat, the petitioners are directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

October 26, 2021
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No