

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

I) CRM-M-37654-2021 (O&M)

Sunil @ Ravinder ... Petitioner

Versus

State of Haryana ... Respondent

II) CRM-M-37658-2021 (O&M)

Ajay ... Petitioner

Versus

State of Haryana ... Respondent

Date of Decision:-11.11.2021

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Renu Dhull, Advocate for the petitioner(s).

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by ASI Anil Kumar.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. This order shall dispose of the above mentioned two petitions filed on behalf of petitioners Sunil @ Ravinder and Ajay seeking grant of regular bail in

respect of a case registered vide FIR No.131 dated 17.3.2021 at Police Station Civil Line Thana, District Kaithal under Sections 379-A and 34 of Indian Penal Code.

2. The FIR was lodged at the instance of Jasnoor Kaur, wherein it is alleged that on 17.3.2021 when she alongwith her friend Kashish were going home, then three boys came on a motorcycle bearing registration No.HR-08-D-6007 and snatched her mobile phone and fled away from the spot.
3. Learned counsel for the petitioner Ajay (in CRM-M-37658-2021) has submitted that the petitioner Ajay has falsely been implicated in the present case and that he has a clean record and has never been involved in any other case earlier and since challan already stands presented, he deserves the concession of bail.
4. Learned counsel representing the petitioner Sunil @ Ravinder (in CRM-M-37654-2021) has submitted that he came to be nominated on the basis of disclosure statement of co-accused Ajay, which would hardly carry any evidentiary value and, as such, he deserves the concession of bail particularly since an identically situated co-accused namely Ravi has already been granted bail by this Court vide order dated 27.7.2021.
5. Opposing the petition, learned State counsel has submitted that in the instant case, the petitioner Ajay was apprehended at the spot and the mobile phone of the complainant was also recovered from him and, as such, his complicity is clearly evident. It has further been submitted that since the aforesaid Ajay, during the course of interrogation, disclosed the name of the petitioner Sunil @ Ravinder as his companion on the day of occurrence, the involvement of petitioner Sunil @ Ravinder is also evident and, as such, none of the

petitioners deserve to be released on bail. Learned State counsel has, however, informed that while the petitioner Ajay has been behind bars since the last about 8 months, the petitioner Sunil @ Ravinder has been behind bars since the last about 6 months and that none of them is involved in any other case. It has also been informed that only 2 out of the cited 14 PWs have been examined till date.

6. I have considered rival submissions addressed before this Court.
7. Without commenting anything as regards merits of the case but while noticing that both the petitioners have clean record and are not stated to be involved in any other case earlier and have otherwise been behind bars since the last more than 6 months, further detention of the petitioners will not serve any useful purpose as conclusion of trial is likely to consume time given the fact that only 2 out of cited 14 PWs have been examined so far. Both the petitions, as such, are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
8. A photocopy of this order be placed on the file of connected case.

11.11.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No