

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

CRM-M-34826-2020 (O&M)

Date of decision: 17.02.2021

Rohit

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR.JUSTICE H.S. MADAAN**

Present: Mr. Anshumaan Dalal, Advocate for the petitioner.

Mr. K.S. Thakur, AAG, Haryana.

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**H.S. MADAAN, J. (Oral)**

Case taken up through video conferencing.

Reply filed by State counsel be taken on record.

This petition for regular bail has been filed by petitioner Rohit, an accused in FIR No.149 dated 17.04.2020, for offences under Sections 379, 201, 411, 420, 465, 468 and 471 of IPC, registered with Police Station City, Kaithal.

Briefly stated the facts of the case as per prosecution story are that, complainant Raja son of Surta Ram, resident of Balraj Nagar, Gali No.8, Kaithal has been maintaining a bank account with Bank of India, Kaithal; from the said bank account of the complainant, amount of Rs.1 lakh each on 15.01.2020 and 16.01.2020 were withdrawn unauthorizedly by some unknown person by using ATM card; information was given to the police, which formed basis of registration of

the formal FIR; thereafter, investigation in the matter got commenced, during the course of which, petitioner-accused Rohit was arrested and a sum of Rs.2 lacs was recovered from him.

The petitioner had moved a petition for regular bail before Court of Sessions at Kaithal, which was assigned to Addl. Sessions Judge, Kaithal, who, vide order dated 19.10.2020, dismissed the same. As such, the petitioner has approached this Court, craving for grant of similar relief, which request is being opposed by the State counsel vehemently.

I have heard learned counsel for the parties besides going through the record.

Learned counsel for the petitioner has contended that the petitioner is a young boy not having any past criminal record; after completion of the investigation, the challan has since been filed in the Court but charge is yet to be framed; the completion of trial is likely to take some time, therefore, the petitioner be released on bail, imposing any term and condition found proper.

Though, the prayer is being opposed by the State counsel, however, I find that considering the facts and circumstances of the case and in view of the fact that the trial is at initial stage and its conclusion is likely to take considerable time and that the petitioner is not shown to be involved in any other criminal case, I am of the view that the petition deserves to be accepted. Accordingly, the same is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/CJM/Duty Magistrate, Kaithal,

subject to the following conditions:-

- (i) he shall appear in the Court on each and every date of hearing;
- (ii) he shall not give any threat or intimidation to the prosecution witnesses;
- (iii) he shall not indulge in any criminal activity;
- (iv) he shall not leave India without prior permission of the Court and shall surrender his passport, if he has got one, otherwise to furnish affidavit in that regard;
- (v) he shall get his presence marked in the local police station on every Saturday of the week between 11:00 a.m. to 2:00 p.m. so that an eye can be kept on his activities and he is deterred from indulging in any criminal activity.

In case the petitioner violates any term and condition on which the bail has been granted to him, the prosecution would be entitled to apply for cancellation of bail.

It may be mentioned here that nothing discussed herein above shall have any bearing on the merits of the case.

17.02.2021

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**(H.S. MADAAN)**  
**JUDGE**

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|-----------------------------|-----|----|
| Whether speaking/reasoned : | Yes | No |
| Whether Reportable :        | Yes | No |