

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

CRM-M-36229-2020 (O&M)

Date of decision: 08.03.2021

Deepak @ Monu

...Petitioner

Versus

State of Haryana

...Respondent

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

Present: Mr. B.S. Mamli, Advocate for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

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 Deepak @ Monu, an accused in FIR No.0432 dated 06.09.2020, for an offence under Section 379-A of IPC, registered with Police Station City, Fatehabad.

Briefly stated the facts of the case as per prosecution story are that, On 06.09.2020 in the area of Police Station City, Fatehabad, petitioner Deepak @ Monu was driving motorcycle with Harsh and Rashik as pillion riders and Harsh had snatched mobile phone of Sanjay Kumar; formal FIR in the matter was registered; the investigation in the case started; the petitioner was not named in the FIR, rather, his name cropped up in the supplementary statement of the complainant; he was

arrested in this case on 08.09.2020; after the completion of investigation and other formalities, the challan against the accused is said to have been prepared and filed in the Court; the trial is at initial stage and the next date of hearing is stated to be fixed as 25.04.2021 for recording statements of Pws; the other co-accused of the petitioner are stated to be juveniles, facing proceedings before the Juvenile Justice Board.

The petitioner had moved a petition for regular bail before Sessions Judge, Fatehabad, however, the same was dismissed, vide order dated 27.10.2020. As such, the petitioner has approached this Court, craving for grant of similar relief, which request is being opposed by the State counsel.

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

Ld. State counsel, on instructions from SI Varinder Singh has stated that the petitioner is not involved in any other criminal case. Without going into the merits of the case, observing that the petitioner is behind bars for about 06 months and the trial against him is at initial stage, the conclusion of which is likely to take some time; his guilt shall be determined during the trial; his two co-accused since declared as juveniles, are stated to be on bail, therefore, the present petition calls for acceptance. The same is accordingly 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, Fatehabad, 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;

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.

08.03.2021

sumit.k

(H.S. MADAAN)
JUDGE

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