

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

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CRM-M-41162-2021 (O&M)

Date of decision: 03.12.2021

VARUN @ VICKY

...Petitioner

Versus

STATE OF UT CHANDIGARH

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Sandeep Singh, Advocate
for the petitioner.

Mr. Rajiv Vij, APP UT Chandigarh.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.4 dated 08.01.2021 registered under Section 341, 392, 34 IPC (Sections 397, 120-B, 411 IPC added later on), at Police Station Sector-11, Chandigarh.

Learned counsel for the petitioner submits that the petitioner has falsely been involved in the present case, who has been in custody since 08.01.2021; that the alleged recovery has already been effected from the petitioner and nothing further is to be effected from him and that the prosecution witnesses are yet to be examined. He further submits that as co-accused, namely, Sanjay and Jasbir Singh, who have allegedly stopped complainant, namely, Tarun Mahajan, and have robbed him of Rs.8,000/-, have already been granted the concession of regular bail, the petitioner may also be granted such concession, on the ground of parity.

Still further, it is submitted by the learned counsel for the petitioner that another co-accused, Amit Kumar, who is alleged to be the

servant of the complainant and from whom purse of the complainant was recovered, has also been granted the concession of bail by a Coordinate Bench of this Court.

On the other hand, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel submits that the petitioner along with other co-accused have committed a serious offence, inasmuch as, they have robbed the complainant and snatched valuables from him. He, however, has not disputed the custody period of the petitioner as well as the co-accused having been on bail. He further submits that Amit Kumar, the servant, was the master-mind of the occurrence.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 08.01.2021. Co-accused have already been enlarged on bail. Recovery has already been effected. Prosecution witnesses are yet to be examined. In such circumstances, the trial of the case is unlikely to conclude to any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

03.12.2021

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No