

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

Sr. No.232

CRM-M-41551-2021

Date of decision: 02.11.2021

Deepak @ Sandy

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

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

Mr. Rahul Mohan, DAG, Haryana.

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DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.359 dated 05.07.2021, registered under Sections 379-B, 394 and 34 IPC at Police Station Sampla District Rohtak.

The petitioner is being prosecuted for having caused injuries to a petrol pump operator and then fleeing after getting CNG filled in his car.

Seeking regular bail for the petitioner, learned counsel submits that the petitioner, who is a young boy aged 23 years, has been falsely implicated in this case; he is in custody since 07.07.2021; he is not involved in any other criminal case; investigation in this case is complete; the petitioner and his co-accused had duly paid for the CNG filled in the petitioner's car; no further recovery is required to be made from the petitioner; even if the case of the prosecution is taken as the gospel truth, though vehemently denied, no specific injury is attributed to the petitioner or his co-accused and in any all the injuries on the complainant are simple in nature; co-accused Deepak @ Sethi, who is similarly placed as the petitioner had earlier approached this Court through CRM-M-34399-2021 – Deepak vs. State of Haryana and through an order of this Court dated 20.09.2021 he has been granted regular bail and that the petitioner's trial which is yet to begin will take long time to conclude.

Learned State counsel opposes the grant of bail to the petitioner on the ground that the petitioner has beaten up the petrol pump attendant and then fled after getting CNG filled in his car without paying for it and that if released on bail, he may indulge in similar offences.

Whether the petitioner and his co-accused paid for the CNG filled in the petitioner's car would be debated during the course of the petitioner's trial. However, the petitioner is a young boy aged 23 years; he is in custody since 07.07.2021; he does not have any criminal case pending against him; investigation in this case is complete; no further recovery is required to be made from the petitioner; no specific injury is attributed to him; in any case, all injuries on the complainant have been declared to be simple; co-accused Deepak @ Sethi who is similarly placed as the petitioner has already been granted regular bail by this Court and that the petitioner's trial which is yet to begin, is likely to take long time to conclude.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Rohtak the petitioner is 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.

November 02, 2021*Jyoti 1***(DEEPAK SIBAL)****JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No