

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

CRM-M-42791-2021
Date of Decision:- **3.12.2021**

VIRENDER @ LADDA

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Sushil Sheoran, Advocate
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

KARAMJIT SINGH, J. (Oral)

Instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case having FIR No.252 dated 4.11.2020 registered under Sections 379-A, 412, 201, 120-B IPC at Police Station Civil Lines, District Rohtak.

Notice of the bail application was issued to the State.

The counsel for the petitioner has submitted that the petitioner was not involved in the alleged incident of snatching of jute bag from complainant Manju. That as per the prosecution story the petitioner received

stolen property belonging to the complainant and he got recovered ₹5,000/- being the proceeds of the said stolen property. It is further contended that the petitioner was arrested on 19.11.2020 and charges are yet to be framed by the trial Court. The counsel for petitioner further made prayer for grant of regular bail in the present case to the petitioner.

The bail application is contested by the State counsel, who submitted that during investigation, it was found that the miscreants who snatched jute bag containing mobile phone, ATM card one silver chain and silver pendant and ₹.10,000/-, sold the abovesaid articles to the petitioner, who further sold the same to some other persons for valuable consideration, out of which amount of ₹5,000/- was recovered at the instance of the petitioner on the basis of his disclosure statement. The State counsel further submitted that the petitioner is having long history of crime and is involved in more than 10 criminal cases of the same nature, whose detail is given in the order dated 2.8.2021, whereby the bail application moved by the petitioner under Section 439 Cr.P.C. was dismissed by the Court of Additional Sessions Judge, Rohtak and prayed for dismissal of the present petition.

I have considered the submissions made by counsel for the parties.

Admittedly the petitioner is in custody in the present case for the last more than 1 year. As per State counsel, investigation has been completed but charges are yet to be framed against the petitioner and other accused. Allegations against the petitioner are that he received stolen property. However, no such stolen property was recovered from his

possession except for ₹5,000/-. It is a matter of evidence as to whether the said recovered amount was proceeds of further sale of the stolen property by him. As far as the fact regarding registration of other criminal cases against him, is concerned, the said criminal history of the petitioner was considered by co-ordinate Benches of this Court while granting him regular bail in 2 other criminal cases of the similar nature. In CRM-M-42772-2021 decided on 10.11.2021 the co-ordinate Bench of this Court granted bail to the petitioner keeping in view the age of petitioner and affording him one final opportunity to reform and mend his ways.

In view of the above, I am of the view that no purpose is going to be served by keeping the petitioner in custody for any longer period. Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail during the pendency of trial subject to his furnishing bail/surety bonds to the satisfaction of Trial Court/Duty Magistrate.

The petitioner is further directed that he should not pressurise the prosecution witnesses and not to leave the country without the prior permission of the trial Court and to appear in the trial Court on each and every date of hearing.

(KARAMJIT SINGH)
JUDGE

3.12.2021
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No