

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-48610-2021 (O&M)

Date of decision: 25.11.2021

Juned @ Junni

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. D.S. Matya, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.204 dated 17.06.2021 under Sections 364, 364A, 392, 394, 34 IPC, registered at Police Station City Sohna, District Gurugram.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of Ravi Kant, while he was standing outside Bus Stand waiting for a bus to go to his home, driver of one Hyundai i20 taxi bearing registration No.HR55-AB-2864 was calling for the passengers to go to Palwal. The complainant took the lift, however, in the middle, the driver stopped the car and other occupants manhandled the complainant and snatched his ATM card and some other documents. Thereafter, they took him to a place, where they started demanding ransom of Rs.50,000/- and in that process, they

took Rs.1500/- from him.

Learned counsel has referred to test identification parade conducted by the Judicial Magistrate 1st Class, Sohna, Gurugram vide order dated 12.07.2021, wherein the victim has not identified petitioner Juned @ Junni as one of the accused. It is submitted that the petitioner is first offender and is in custody for the last 05 months and 02 days; investigation is complete and since the complainant has not identified him in test identification parade, there is bleak chances of conviction of the petitioner.

Learned State counsel, on the basis of custody certificate dated 24.11.2021 filed in the Court today, has not disputed the factual position, however, submits that the car belongs to the petitioner.

After hearing learned counsel for the parties, without commenting anything further on merits of the case and considering the fact that the petitioner is in custody for the last more than 05 months; he is first offender and the complainant has not identified the petitioner in test identification parade conducted by JMJC, Sohna, Gurugram, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

25.11.2021
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No