

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

**CRM-M-48864-2021
Date of decision: 26.11.2021**

Anudeep**...Petitioner**

Versus

State of Haryana**...Respondent****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. Parveen Sharma, Advocate
for the petitioner.

Mr. Kirpal Singh Thakur, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 202 dated 18.06.2021, registered under Section 379-A IPC at Police Station Model Town, Panipat, District Panipat.

Learned counsel for the petitioner submits that the FIR was registered on a complaint given by complainant Gulshan with the allegations that when he was going on foot, three boys came on a bike and one of them snatched his mobile phone while other two boys caught hold of him and in that process, his mobile phone was taken away.

Learned counsel further submits that the petitioner is a first offender; he is in judicial custody since 23.06.2021 and the matter stands settled with the complainant Gulshan as he has sworn an affidavit that during the test identification parade conducted by the police, he has informed the police that the petitioner is not a person who was involved in the commission of crime.

Learned State counsel, on instructions from ASI Jagdish, has not disputed the aforesaid fact.

After hearing learned counsel for the parties, without making any opinion on the merits of the case, considering the facts that petitioner is a first offender; he is in judicial custody since 23.06.2021 and also in view of the fact that the complainant has given an affidavit that the petitioner is not the one who was involved in the crime, the present petition is allowed and the petitioner is directed to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

26.11.2021

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No