

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

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CRM-M-51044-2021

Date of Decision: 10.12.2021

Naveen Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Mohan Singh Rana, Advocate, for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.397 dated 05.12.2020 at Police Station Khedki Daula, Gurugram, under Sections 341 IPC and Section 25 of the Arms Act (while Sections 397/392/476 IPC added later on, Section 379-A IPC stands deleted).
2. The FIR was lodged at the instance of Lal Chand, wherein it is alleged that on 05.12.2020, when he was returning back home after selling agricultural produce in Azadpur Mandi, in his vehicle bearing registration No.RJ-32GB-2995 alongwith Patram and Subhash, who were sitting alongwith him on the front seat, and Rampratap and Banwari Meherchand, who were sleeping in the rear, their vehicle was stopped by a swift car bearing registration

No.HR-26BN-2733 out of which 3/4 persons armed with pistols and sticks came out and while brandishing their weapons, they snatched Rs.25,000/- from the complainant and Rs.10,000/- from Patram and fled away from the spot. It is further the case of the prosecution that upon verification of the registration number of the aforesaid swift car, it was found that the same was a stolen vehicle. The petitioner as well as Vinod were arrested on 29.01.2021 and upon their disclosure statements, an amount of Rs.5000/- and Rs.4000/- respectively was got recovered from them apart from a stick used in the occurrence. Another two accused, namely, Rahul and Rinku were arrested on 05.02.2021 and 08.02.2021 respectively.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that there is no cogent evidence to connect him with the alleged occurrence.
4. Opposing the petition, learned State counsel has submitted that the petitioner came to be nominated on the basis of a secret information received by the police and since some amount and a stick has been recovered from the accused, his complicity is clearly evident. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last more than 10 ½ months and that challan already stands presented. It has also been informed that the petitioner happens to be involved in one more case registered under Section 379 IPC.
5. I have considered rival submissions addressed before this Court.

6. Without commenting anything as regards the merits of the case, but while noticing that the petitioner has been behind bars for a substantial period of 10 ½ months and challan already stands presented, further detention of the petitioner will not serve any useful purpose as the conclusion of trial will take some time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

10.12.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**