

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-52492-2021 (O&M)
Date of decision: 20.12.2021

Gulab Singh

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Nishant Chauhan, 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.202 dated 18.06.2021 under Section 379-A IPC, registered at Police Station Model Town, District Panipat.

Learned counsel for the petitioner relies upon the order dated 26.11.2021 passed in CRM-M-48864-2021, vide which co-accused Anudeep has been granted the concession of regular bail. The operative part of the order reads as under: -

“...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.”

For the sake of brevity, facts are not reproduced again.

Learned counsel for the petitioner submits that allegations against the petitioner are on similar footings; he is first offender and is in custody for the last about 06 months.

Learned State counsel has filed the custody certificate dated 17.12.2021 in the Court today and has submitted that recovery of motorcycle was effected from the petitioner, however, on the basis of custody certificate, other facts are not disputed.

Without commenting anything on merits of the case, considering the aforesaid facts and circumstances of the case, 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

20.12.2021
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No