

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-52493-2021 (O&M)
Date of Decision:-20.12.2021

Ram Mehar @ Budda

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Sharmila Sharma, Advocate for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by ASI Jaswant Singh.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.329 dated 14.7.2021 at Police Station Civil Line Kaithal, District Kaithal under Sections 392 and 411 of Indian Penal Code, wherein offences under Section 392 and 411 IPC were added and offence under Section 379-A IPC was deleted later on.
2. The FIR was lodged at the instance of Abhey Ram, wherein it is alleged that on 14.7.2021 at about 11:00 a.m., when he was returning back home, a motorcycle came from the opposite side and the rider of the motorcycle, who was wearing a mask, inquired about the directions to PGI. While the complainant was telling directions to PGI, 3 boys came there on another motorcycle and snatched the purse of the complainant stated to be containing

a gold ring weighing about ½ Tolla and a cash amount of ₹2,500/- apart from Aadhar Card.

3. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that he is nowhere named in the FIR and there is no evidence at all with the prosecution to connect him with the alleged occurrence.
4. Opposing the petition, learned State counsel has submitted that it was on the basis of secret information that the petitioner came to be identified and since purse, Aadhar Card of the complainant and an amount of ₹1,000/- was recovered from the petitioner, his complicity is clearly evident. It has, however, been informed that the petitioner has been behind bars since the last about 5 months and is not involved in any other case.
5. I have considered rival submissions addressed before this Court.
6. The petitioner is not named in the FIR and is stated to have been identified by some 'secret informer'. In any case, investigation is complete and challan stands presented. The petitioner has been behind bars since the last about 5 months and is not stated to be involved in any other case. In these circumstance, further detention of the petitioner will not serve any useful purpose. 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.

20.12.2021

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No