

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

(Sr. No. 213)

CRM-M No. 45222 of 2019

Date of decision : 05.10.2021

Kashmira

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. K. L. Saini, Advocate for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

* * *

DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C.
for the grant of regular bail in FIR No. 191 dated 05.08.2019 registered
under Sections 379-A and 34 IPC at Police Station Sadar Narwana, district
Jind.

Briefly stated, the case of the prosecution is that the petitioner
gave the complainant lift on his motorcycle and later robbed him of the
money that he was carrying, his gold ring and mobile phone.

Learned counsel for the petitioner submits that the petitioner
has been falsely implicated in this case; the petitioner is in custody for the
last over 2 years and 2 months; the petitioner has no other criminal case
pending against him; the complainant while appearing before the Trial
Court as a prosecution witness has turned hostile and has refused to even
identify the petitioner and that since 8 prosecution witnesses still remain to
be examined, the petitioner's trial will take a long time to conclude.

Learned State counsel opposes the grant of regular bail to the petitioner on the ground that he is alleged to have robbed the complainant in broad day light.

The complainant has turned hostile; the petitioner is in custody for the last 2 years and 2 months; he has no other criminal case pending against him and that since 8 prosecution witnesses still remain to be examined, the petitioner's trial is likely to take a long time to conclude.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Jind the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

05.10.2021
sunil yadav

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No