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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-1319-2022
Date of Decision:03.02.2022

Vineet Kumar

....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Vikas Tanwar, Advocate, for the petitioner.

Mr. Ranvir Singh Arya, Addl. Advocate General, Haryana.

Through Video Conferencing

JASGURPREET SINGH PURI, J. (Oral)

The present is a second petition filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.215 dated 03.06.2021, under Sections 379-B, 201 of IPC, registered at Police Station Chandi Mandir, District Panchkula.

Learned counsel for the petitioner has submitted that the petitioner is in custody from 14.06.2021 and charges have been framed in the present case and as per the prosecution story the petitioner was caught after some days alongwith mobile which was alleged to be stolen. He further submitted that he is not named in the FIR and that he is not involved in any other case and has therefore prayed for the grant of regular bail to the petitioner.

On the other hand, Mr. Ranvir Singh Arya, learned Additional Advocate General, Haryana has submitted that the petitioner has snatched the mobile from the complainant when he was sitting near Gurudwara and thereafter the matter was reported to the Cyber Cell and when thorough investigation was done, the said mobile which the petitioner was using with his own SIM number, he was caught and the mobile which was snatched from the complainant was found in the hands of the petitioner and thereafter when further investigation was done, then one stolen motorcycle, five more mobiles and batteries were also confiscated from the petitioner. He further submitted that test identification parade was also conducted and the complainant had identified the petitioner to be one of the snatcher and on interrogation also the petitioner disclosed that after snatching of the mobile he has thrown away the SIM card. He also made a disclosure of the name of the other companion namely Arjun and thereafter the other co-accused Arjun was also arrested who was also identified by the complainant. He further submitted that it is a case where snatching of mobiles etc. is rampant in the State of Haryana and in case the petitioner is released on bail, then he may repeat such kind of offences again and, therefore, he does not deserve the concession of regular bail.

I have heard the learned counsel for the parties.

The petitioner was caught by the police through the Cyber Cell although after few days but as per the learned State counsel not only the stolen mobile of the present case but also five other mobiles alongwith one motorcycle and some batteries were recovered from him and on his disclosure, the other co-accused Arjun was also apprehended. Both the accused were identified by the complainant during test identification parade.

As per the learned State counsel no witness has been examined as yet and therefore, considering the totality and circumstances of the present case, I do not deem it fit and proper to grant bail to the petitioner.

Consequently, the present petition is dismissed.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

03.02.2022

rakesh

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No