

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

CRM-M-1634 of 2022 (O&M)

DECIDED ON: 5th May, 2022

Ajay

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Durgesh Aggarwal, Advocate for petitioner.

Ms. Geeta Sharma, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

Petitioner seeks regular bail in case of FIR No. 580 dated 19.11.2020, under Sections 379-B, 120-B, 411, 34 IPC registered at Police Station Sector-5, District Panchkula.

As per the allegations of the complainant on 18.11.2020, four boys riding on a motor cycle hit his bicycle, attacked him, gave a knife blow on the left hip and snatched the mobile.

During investigation, the mobile was recovered from one Sahiban. On a secret information, the petitioner-Ajay along with other co-accused were arrested. Rs.200/- were recovered from petitioner. At the instance of the petitioner and the co-accused a ladies purses, cheque book, PAN card were recovered and Section 411 IPC was added.

Learned counsel for the petitioner submits that the petitioner is in custody since 25.11.2020, complainant in his deposition has not supported the case of the prosecution, it is a case of false implication and petitioner is not involved in any other case.

Learned State counsel opposes the prayer and submits that after collecting the evidence, the petitioner was arrested. It was at the instance of the petitioner and the co-accused that the recovery was made. However, learned State counsel on instructions submits that the petitioner is not involved in any other case.

Without commenting upon the merits of the case, having conspectus of facts and that investigation is complete, conclusion of trial is likely to take time and the petitioner has no criminal antecedents, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

5th May, 2022
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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>