

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-2694-2022

Date of Decision: 21.7.2022

Amit @ Salim Supari

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Mahir Sood, Advocate
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.295 dated 6.6.2017 registered for the offences punishable under Sections 148, 149, 294, 323, 341, 379-B, 506, 34 IPC at Police Station City Mahendergarh, District Mahendergarh.

Counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and is now in custody for the last more than 1 year and 10 months. He further submits that co-accused Rahul @ Bachi who is also facing similar charges was granted regular bail by this Court vide order dated 20.11.2017 (Annexure P-2). He further contends that the alleged recoveries have already been effected and that it will take time for the trial to conclude. So, prayer is made for grant of regular bail to the petitioner.

Present petition has been opposed by the State counsel who submitted that at the time of the occurrence, the petitioner and his

companions assaulted the complainant and took away ₹4000/- and mobile phone belonging to the complainant.

I have considered the submissions made by the counsel for the parties.

As per allegations recorded in the FIR, the petitioner along with co-accused intercepted the vehicle of the complainant and caused injuries to him and snatched his mobile phone and ₹ 4000/-. The petitioner was arrested in this case on 18.9.2020 and as per his custody certificate, his actual custody period comes out to be more than one year and ten months. As per prosecution, ₹ 1000/- and one wooden stick were recovered from the possession of the petitioner. Trial is going on but State counsel has apprised that all the material witnesses have been examined. Admittedly, co-accused Rahul @ Bachi who was also named in the FIR was granted regular bail vide order dated 20.11.2017 (Annexure P-2) by this Court.

It will take time for conclusion of trial. Thus, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

July 21, 2022

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No