

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

217

**CRM-M-2536-2022**

**Date of decision: 30.03.2022**

DEV ALIAS NONU

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

**CORAM: HON'BLE MR. JUSTICE SANT PARKASH**

Present : Mr. Amit Kumar Jain, Advocate  
for the petitioner.

Mr. Gaurav Bansal, AAG, Haryana  
for the respondent.

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**SANT PARKASH, J. (ORAL)**

Prayer in this petition under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner, in case, FIR No. 187 dated 21.08.2021 registered under Section 379-B of the Indian Penal Code, 1860 read with Section 25 of the Arms Act (initially FIR was lodged under Section 379-A IPC) at Police Station City Gurugram, District Gurugram

The present FIR was lodged on statement of Jyoti who alleged that on 21.08.2021 at about 3.00 P.M., a person had snatched her Activa scooter by showing her knife. During investigation, CCTV footage of the area was collected and the present petitioner was arrested on 24.08.2021 from whom the Activa Scooter and knife used in the commission of crime was got recovered. During test identification parade of the accused/petitioner, he was identified by the complainant.

I have heard learned Counsel for the parties and gone through the case file.

Learned Counsel for the petitioner has submitted that there is absolutely no involvement of any kind of the present petitioner in commission of the alleged offence. The investigation of the case is completed. Challan has already been filed. No prosecution witness has been examined till date. The petitioner is in custody since 24.08.2021. Apart from the present case, the petitioner is involved in one other case in which he is on regular bail. Nothing is to be recovered from the petitioner. No useful purpose will be served by keeping the petitioner in custody. Therefore, the petitioner may be ordered to be released on regular bail.

Per contra, learned State Counsel has opposed the petition while contending that the allegations against the petitioner are serious in nature and the petitioner does not deserve grant of regular bail. Therefore, the petition may be dismissed.

Having considered the facts and circumstances of the case, period of custody of the petitioner, challan has already been presented, nothing is to be recovered from the petitioner and the fact that the trial is likely to take long time but without expressing any opinion on the merits of case, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of personal and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

**30.03.2022**  
kavneet singh

**(SANT PARKASH)**  
**JUDGE**

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