

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

CRM-M-3040-2022

Date of decision: 21.02.2022

Sagar @ Saurabh

....Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. D.S.Matya, Advocate for the petitioner
 Mr. Harsh Vardhan, AAG, Haryana

ANIL KSHETARPAL, J (Oral)

The petitioner prays for grant of bail pending trial in a criminal case arising from FIR No. 278, dated 29.07.2021, registered under Section 395 IPC at Police Station City, Sohna, District Gurugram.

Learned counsel representing the petitioner relies upon an order dated 13.01.2022 passed in case titled as '**Akash vs. State of Haryana**' and submits that the petitioner is also identically placed. The order dated 13.01.2022 reads under:-

“The hearing of the case is being held through video conferencing on account of restricted functioning of the Courts.

The petitioner prays for regular bail pending trial in a criminal case arising from FIR No.278, dated 29.07.2021, registered under Section 395 of IPC, at Police Station City, Sohna, District Gurugram.

As per the case of the prosecution, four muffled boys stopped the first informant and snatched his scooty along with the cash amount and a tablet allotted to him by his office.

In the supplementary statement, the first informant has taken a stand that he identified the petitioner as his muffler at the time of crime slipped down. Learned counsel for the petitioner contends that in the supplementary statement, the first informant has changed his stand.

On conclusion of the investigation, the challan has been presented. As per the case of the prosecution, an amount of Rs.13,000/- has been recovered from the petitioner.

The petitioner is in custody since 04.08.2021.

Sh. Gurmeet Singh, Assistant Advocate General, Haryana, on instruction from SI Razak has stated that the petitioner does not have a criminal past and the trial of the case is likely to take a long time. Hence, the petitioner is directed to be released on regular bail subject to furnishing of adequate surety to the satisfaction of the trial Court/Duty Magistrate.

Accordingly, the petition is allowed with the aforesaid directions.

All the pending miscellaneous applications, if any, are also disposed of.”

Learned State counsel does not dispute that the petitioner does not have criminal antecedents. As per the case of the prosecution, an amount of Rs.2080/- has been recovered from the petitioner. On conclusion of the investigation, challan has already been presented. The petitioner is stated to be in custody since 11.08.2021.

Without commenting on the merits of the case and keeping in view the aforesaid facts as also the fact that the trial of the case is likely to take time, it is considered appropriate to release the petitioner on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

The petition stands allowed.

All the pending miscellaneous applications, if any, are also disposed of.

21.02.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE