

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

CRM M-7068 of 2022 (O&M)

Date of Decision: March 16, 2022

Sanjay @ Teja

...Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Ms. Manpreet Ghuman, Advocate
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.

FATEH DEEP SINGH, J. (Oral)

The matter has been taken up through
video-conferencing on account of lockdown due to outbreak of
pandemic COVID-19.

This order shall dispose of the second regular bail
application under Section 439 Cr.P.C. moved in FIR No. 200
dated 01.08.2017 under Section 379-A/171 IPC registered at
Police Station Narwana Sadar, District Jind.

The brief allegations against the petitioner have been leveled by the complainant Jai Parkash. In his complaint the allegations are that on 27.07.2017 around 6/7 p.m. in the evening while the complainant was present at the petrol pump he befriended the accused/petitioner and subsequently they have been exchanging telephonic calls and it is during their conversation, the accused/petitioner has enticed the petitioner that he would double his money and that on that pretext asked from him Rs.1 lakh. It was on 01.08.2017 when the complainant was carrying Rs.1 lakh he stopped for easing himself, one person snatched the bag hung on the shoulder of the complainant and thereafter accused ran away on a car without a number plate in which prior thereto four persons were sitting and all of them fled away from the spot.

Learned counsel for the petitioner *inter alia* contends that the petitioner is behind the bars since 18.05.2020 and that there is no evidence to connect the petitioner with the commission of the crime, though, learned State counsel

Mr. Pankaj Mulwani, DAG, Haryana has sought to oppose the bail on the grounds that a sum of Rs.3000/- has been recovered from the possession out of the snatched amount and that in view of the heinousness of the offence disentitles him to any bail.

Appreciating the submissions as is contended by the counsel for the petitioner three co-accused of the petitioner on similar grounds have been allowed bail and the fact that neither there is any test identification parade nor the alleged amount so claimed to have been recovered from the petitioner is connected with the commission of the offence.

Keeping in view that it is own admission of the learned State counsel that no evidence at all till date has been examined by the prosecution and therefore, in view of the incarceration period, this Court deems it appropriate to allow the present petition. Accordingly, the petitioner is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned

However, it is made clear that anything observed herein shall not be construed as an expression of opinion on the merits of the case.

Disposed off accordingly.

March 16, 2022
amit rana

(FATEH DEEP SINGH)
JUDGE

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