

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

**CRM-M-12785-2022
Date of decision: 31.03.2022**

Sajjan**...Petitioner**

Versus

State of Haryana**...Respondent****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. Sandeep Lather, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 271 dated 13.10.2021, registered under Sections 379-A and 34 of the IPC at Police Station Lakhanmajra, District Rohtak.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of complainant Karan, it is stated that on 05.10.2021, when he was walking on the road and talking to some one on his mobile phone, suddenly two boys came on foot and snatched his mobile phone and ran away from the spot.

Learned counsel for the petitioner further submits that the FIR was registered after a period of 08 days with the allegations that the complainant knew the name of aforesaid two boys as Sajjan and Vishal, residents of Lakhanmajra.

Learned counsel further submits that the petitioner has falsely been implicated in this case as he has no criminal antecedents and the very

fact that the FIR has been registered after a period of more than one week itself shows that the implication of the petitioner is an outcome of the afterthoughts of the complainant.

Learned State counsel has filed the custody certificate and has not disputed the factual position. As per custody certificate, the petitioner is in judicial custody for the last 05 months and 17 days and he is not involved in any other case.

Learned State counsel submits that *challan* stands presented and out of total 07 prosecution witnesses, 02 witnesses have been examined.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner is in judicial custody for the last 05 months and 17 days; he is not involved in any other case; the FIR was registered after a delay of 08 days and also in view of the fact that conclusion of trial is likely to take some time, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

31.03.2022

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No