

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-15758-2022 (O&M)
Date of decision: 25.04.2022

Sachin

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Baljeet Beniwal, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.413 dated 14.08.2021 under Sections 323, 379-B, 34 IPC and Section 25 of Arms Act, registered at Police Station Sector-58, Faridabad, District Faridabad.

Learned counsel for the petitioner relies upon the order dated 03.03.2022 passed in CRM-M-1241-2022, vide which co-accused Vikram @ Bholu @ Vikram Singh has been granted the concession of regular bail by the Coordinate Bench, by making the following observations: -

“...Learned counsel for the petitioner submits that he has been implicated as an accused only on the basis of a disclosure statement allegedly made in police custody by his co-accused, the allegations against him being that he was involved in

reconnaissance of the area after which the victim is stated to have been robbed by the co-accused as also injured by him.

He further submits that in the aforesaid circumstances, the petitioner has been in custody for more than 06 months with no other criminal case registered against him.

As regards the period of custody and the fact that there is no other criminal case registered against him, learned State counsel does not deny those facts as per his instructions from SI Satyawar, but otherwise opposes the petitioner being admitted to bail...”

Learned counsel submits that even allegations against the petitioner are based on disclosure statement made by co-accused Sunil, while in police custody. It is further submitted that as per allegations in the FIR, on 14.08.2021, complainant Anil Dutt moved an application to the police with the allegations that while he was going from his shop towards his house, he was having a bag containing laptop, five mobile phone, Rs.3,28,000/- in cash and purse. In the meantime, two boys came on a motorcycle with muffled faces and pillion rider gave him a blow of butt of illegal weapon and snatched his bag and fled away. It is also submitted that main accused Sunil, on whose disclosure, name of the petitioner surfaced, has already been released on regular bail by the Additional Sessions Judge, Faridabad vide order dated 16.03.2022.

Learned State counsel, on the basis of custody certificate, filed in the Court today, has not disputed the factual position. As per the custody certificate, the petitioner is in custody for the last 05 months and 08 days and is not involved in any other case.

After hearing learned counsel for the parties, without commenting

anything on merits of the case and considering the aforesaid facts and circumstances of the case, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

25.04.2022
vishnu

[ARVIND SINGH SANGWAN]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No