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

CRM-M-17107-2022

Date of Decision: 29.04.2022

Rohit

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Surinder Gandhi, Advocate for the petitioner.

Mr. Ranvir S. Arya, Addl. A.G., Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.0166 dated 06.07.2021, under Sections 34, 379-A and 511 of the IPC, registered at Police Station Civil Lines, Rohtak.

It has been submitted by Mr. Surinder Gandhi, learned counsel for the petitioner that in the present case, investigation has been completed and two witnesses have already been examined. He further submitted that the petitioner was falsely implicated in the present case in view of the fact that he was earlier involved in some other two cases which were also planted upon him and in the present case the allegations were that the petitioner along with one another person had tried to snatch a bag from the complainant whereas in fact the actual snatching has never taken place even as per the prosecution story and the petitioner is facing incarceration from 07.07.2021, which is almost nine months. He further submitted that no

recovery is to be effected from the petitioner and the trial of the case would take long time, therefore, the petitioner may be considered for the grant of regular bail.

On the other hand, Mr. Ranvir S. Arya, learned Additional Advocate General, Haryana has submitted that it is correct that the petitioner is in custody since 07.07.2021 and the investigation of the case has been completed and two witnesses have been examined. He further submitted that as per the prosecution story, the petitioner along with another person had tried to snatch the bag from the complainant but as per the prosecution no snatching has been taken place and it was only a case of attempt.

I have heard the learned counsel for the parties.

The petitioner has faced incarceration from about nine months and as per the prosecution itself no snatching has taken place and it was a case of attempt to snatch. The pendency of the other cases pending against the petitioner cannot become a ground for denial of the bail to the petitioner. Furthermore, it is not the case of the State that in case the petitioner is released on regular bail then he may abscond or flee from justice or may influence the witness, therefore, in view of the facts and circumstances of the case, this Court deems it fit and proper to grant bail to the petitioner.

Consequently, the present petition is allowed and the petitioner is ordered to be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

However, anything observed hereinabove shall not be treated as

an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

29.04.2022

(JASGURPREET SINGH PURI)
JUDGE

Bhumika

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| 1. Whether speaking/reasoned: | Yes |
| 2. Whether reportable: | Yes/No |