

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

237

CRM-M-18079-2022

Date of Decision: 06.05.2022

Rohit

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Sandeep Gahlawat, Advocate, for the petitioner.

Mr. Rahul Mohan, DAG, Haryana,
assisted by Inspector Suresh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.373 dated 16.09.2021 at Police Station Urban Estate Rohtak, District Rohtak, under Sections 186/34/353/379-B/392 IPC and Section 25 of the Arms Act.
2. The FIR was lodged at the instance of JE Harish Chander and other employees of the Municipal Corporation, Bawal, wherein it has been alleged that pursuant to directions issued by the Election Commission, Panchkula and also in compliance of orders of Deputy Commissioner, Rewari, when they were proceeding from Bhiwani towards Rewari on the night intervening 15/16.09.2021, then at about 2.30 am three persons riding a motor-cycle drove their motor-cycle in front of their vehicle and when the driver of the complainant's vehicle stopped the vehicle, said persons surrounded their vehicle and forced the driver to open the

- window. Two of the said persons gave beatings to the driver and pointed a revolver below his ear and robbed him an amount of Rs.4500/-. Third person, who was also carrying a weapon, climbed into the vehicle and aimed his pistol at the other employees and snatched Rs.17,000/- from Kamal (Clerk) and Rs.5000/- from Harish Chander alongwith his mobile.
3. Learned counsel for the petitioner has submitted that he is no where named in the FIR and has been falsely nominated as an accused on the basis of his own disclosure statement, when he came to be arrested in another case. It has been submitted that apart from the said disclosure statement of the petitioner himself, there is no other convincing evidence to establish the complicity of the petitioner.
 4. Opposing the petition, learned State counsel has submitted that since the petitioner himself admitted having committed the offence and in fact a weapon was also recovered when he came to be arrested in connection with another FIR registered in the same Police Station on 19.09.2021, his complicity is clearly evident. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last more than 7 months and that challan already stands presented. It has also been informed that apart from the present case, he stands involved in two more cases.
 5. I have considered rival submissions addressed before this Court.
 6. Without commenting anything as regards the merits of the case which is mainly based on disclosure statement of the petitioner himself, but while noticing that the petitioner has been behind bars for a substantial period of more than 7 months and conclusion of trial will consume time

inasmuch as even the charges have not been framed so far, further detention of the petitioner will not serve any useful purpose as the conclusion of trial will take some time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

06.05.2022

Vimal

**(GURVINDER SINGH GILL)
JUDGE**Whether speaking/reasoned: **Yes/No**Whether reportable: **Yes/No**