

234

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

**CRM-M-18762-2022
Date of Decision: 11.05.2022**

Adarsh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Ms. Jasneet Mehra, Advocate for
Mr. Ganesh Chand Sharma, Advocate,
for the petitioner.

Mr. Ranvir Singh 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.83 dated 18.03.2022, under Sections 379-A & 34 of the IPC, registered at Police Station B.P.T.P., District Faridabad.

Learned counsel for the petitioner has submitted that the petitioner is a 18 years old boy and he is in custody since 21.03.2022. She further submitted that the investigation of the case is already complete and challan has also been presented. She also submitted that it is a case where nobody was named in the FIR and the subject matter of the case was pertaining to snatching of one mobile phone and during the course of investigation one of the co-accused, namely, Rohan was arrested and it was

on the basis of his disclosure statement, the petitioner's name was nominated. She also submitted that the petitioner was falsely implicated in the present case and the petitioner, who is a young boy aged 18 years, is not involved in any other case and has got clean antecedents and mere disclosure statement of a co-accused is not admissible in evidence. She further submitted that be that as it may, the investigation of the case is already complete and challan has also been presented and no further recovery is to be effected from the petitioner, therefore, he may be considered for the grant of regular bail.

On the other hand, Mr. Ranvir Singh Arya, learned Additional Advocate General, Haryana has stated that it is correct that the petitioner is in custody 21.03.2022 and the investigation of the case has been completed and challan has also been presented. He further submitted that it is also correct that the petitioner is not involved in any other case and the name of the petitioner was nominated on the basis of the disclosure statement made by a co-accused. He however submitted that there is a recovery of the snatched mobile phone from the petitioner.

I have heard the learned counsel for the parties.

The investigation of the case has been completed and the challan has also been presented. The petitioner is a young boy aged 18 years and has got clean antecedents as per the learned counsel for the parties and he is not involved in any other case. The subject matter of the case is only one mobile phone. The name of the petitioner was nominated on the basis of the disclosure statement made by other co-accused. It is yet to be determined at the time of trial as to whether the petitioner was involved in

the present case or not and the trial of the case may take long time.

In view of the aforesaid facts and circumstances, 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.

11.05.2022

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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