

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-21055-2022

Date of Decision: 20.5.2022

Lalit @ Lalli

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Sumeet S. Brar, Advocate for
Mr. Mohan Singh Chauhan, Advocate,
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.483 dated 4.12.2020 registered for the offences punishable under Sections 379-B, 34 IPC at Police Station Ambala Cantt, District Ambala.

As per allegations appearing on the record, FIR in this case was registered on the statement of Santosh Kumar Gupta in which he alleged that Nishu and Lalit attacked him with knife and snatched money from his pocket.

Counsel for the petitioner contends that the petitioner is in custody for the last about one year and six months. Counsel further contends that while appearing in the witness box, complainant-Santosh Kumar Gupta, failed to identify the petitioner and has not supported the case of the prosecution. Copy of the testimony of Santosh Kumar Gupta is Annexure P-

the case of the prosecution, has not been refuted by the State counsel on instructions from ASI Ashok Kumar.

As per custody certificate, the petitioner is in custody for the last more than one year and five months and is also involved in other cases. However, the counsel for the petitioner submits that he has already been released on bail in another criminal cases. It appears that the complainant while appearing in the witness box, failed to support the case of the prosecution. It will take time for conclusion of trial. Thus, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

May 20, 2022

Paritosh Kumar

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No