

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

CRM-M-23055 of 2022 (O&M)

DECIDED ON: 31st May, 2022

Naveen

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Rajnikant Upadhyay, Advocate for petitioner.

Ms. Dimple Jain, AAG Haryana.

AVNEESH JHINGAN, J (ORAL)

Petitioner is seeking regular bail in case of FIR No.65 dated 28.1.2022, under Sections 379-B, 392, 397, 120-B, 201, 34, 411 IPC, registered at Police Station Gannaur, District Sonipat.

FIR was registered at the instance of Manvender. He stated that on 28.1.2022 at about 8:15 p.m. three riders on a motor cycle pushed his motor cycle and on knife point snatched Rs.1,02,000/- and mobile phone. Later he made a statement that from inquiry at his own level, he came to know that Sunny, Kuldeep and Gulshan were involved in the incident. Kuldeep was apprehended on 5.2.2022 and Rs. 23,500/- were recovered from him. The complainant was joined during investigation and he stated that accused were having muffled faces, he would not be in a position to identify. The petitioner was apprehended on 5.2.2022 and Rs.23,700/- was recovered from him.

Learned counsel for the petitioner submits that it is a case of false implication. Recovery from the petitioner nowhere connects him with the alleged incident. Investigation is complete. He was not identified by the complainant.

Learned State counsel opposes the prayer and submits that the petitioner is involved in one more case.

Without commenting upon the merits of the case, considering the nature of recovery made from the petitioner, co-accused was granted bail, albeit, investigation is complete, conclusion of trial is likely to take time, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

Since the main case has been decided, the pending application, if any is rendered infructuous.

31st May, 2022

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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>