

CRM-M-30190-2021 (O&M)

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

**CRM-M-30190-2021 (O&M).
Decided on: July 18, 2022.**

Sumit

.. Petitioner

VERSUS

State of Haryana

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH
*** * ***

**PRESENT Mr.H.S.Baath, Advocate,
for the petitioner.**

Ms.Harpreet Kaur, AAG, Haryana.

KARAMJIT SINGH, J. (ORAL)
CRM-20480-2022

Prayer in this application is for placing on record copy of medical record of Mamta i.e. the mother of the petitioner dated 16.6.2021 as Annexure P-3.

For the reasons stated in the application, the same is allowed. Annexure P-3 is taken on record subject to all just exceptions.

Main case

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant for regular bail to the petitioner in case FIR No.35 dated

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15.02.2021, under Section 379-B and 395 IPC, registered at Police Station Sector 6, Bahadurgarh, Distt. Jhajjar, Haryana.

Counsel for the petitioner submits that the FIR in the present case was registered against the unidentified persons who allegedly snatched Swift car No.HR-12-AA-0956, in which complainant Jitender Singh was travelling. The mobile phone and one bag containing uniform and some important documents of the complainant were also lying in the said car when it was snatched.

Counsel for the petitioner submits that the petitioner was arrested in this case on 16.2.2021 and is presently lodged in judicial custody.

Counsel for the petitioner further contends that during trial the prosecution has already examined the complainant and it will take considerable time for the trial to conclude. So the prayer is made for the grant of regular bail to the petitioner.

The present petition is opposed by the State counsel who submitted that indeed the FIR in this case was registered against unknown persons but thereafter, the car in question was recovered from the possession of the present petitioner and Sudhir. However, on the instructions from ASI Randhir Singh, the State counsel has not disputed the fact that the complainant has already been examined in this case and even the custody period of the petitioner is not disputed.

As the complainant has been examined during trial, now there is no apprehension that if released on bail, the present petitioner is

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going to pressurise him to depose in his favour. The petitioner is already in custody for about 1 year and 6 months and the complainant has been examined. It will take considerable time for the trial to conclude and no purpose is going to be served by keeping the petitioner in custody for any longer period.

Accordingly, without commenting on the merits of the case, the present petition is allowed and the petitioner is hereby ordered to be released on regular bail subject to furnishing bail and surety bonds to the satisfaction of the CJM/Duty Magistrate concerned during the pendency of the trial.

July 18, 2022.
raj arora

(KARAMJIT SINGH)
JUDGE

Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No