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

CRM-M-26774-2022

Date of decision:05.07.2022

SANDEEP

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Parveen Sharma, Advocate for the petitioners.

Mr. Tanuj Sharma, AAG, Haryana.

SURESHWAR THAKUR, J. (ORAL)

1. The instant petition has been filed under Section 439 of the Cr.P.C., where through, the present bail petitioner seeks indulgence of regular bail being accorded to him.

2. FIR No.632 of 23.10.2020, constitutes therein an offence under Section 379-A of the IPC, and, is lodged at Police Station City Karnal, District Karnal, therein the commission of the incriminatory offences, are attributed to the bail petitioner.

3. The present bail petitioner along with two other accused snatched the gold chain of the victim, but subsequently they alienated the gold chain to an unknown person, and, received from him a sum of Rs.1,20,000/-. Though, the alienee of the snatched gold chain was required to be added, as an accused in the array of accused, but since the accused did not disclose, to the investigating officer concerned, his name and identity, therefore, no inculcation became drawn against the alleged receiver of the alleged snatched property.

4. However, the learned State counsel submits, that though the accused received the sale proceeds of Rs.1,20,000/- from an unnamed alienee

but from amongst the above sale proceeds, they excepting a sum of Rs.68,000/-, rather proceeded to spent it.

5. Nonetheless, the learned State counsel submits, that from amongst the unspent sale proceeds concerned, each of the accused has ensured the recoveries, at their respective instances of the retained apposite proportionate sums thereof, rather to the investigating officer concerned. Therefore, in the wake of the above, besides to curtail the prolonged judicial incarceration of the present bail petitioner, who is in custody since 29.01.2021, this Court does not deem it fit, and, appropriate to further prolong his judicial incarceration.

6. In consequence, the present bail petition is allowed, and, the bail petitioner is ordered to be released from judicial custody, but subject to his furnishing personal, and, surety bonds in the sum of ₹50,000/- each, before the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned, and, also subject to his not tampering with prosecution evidence, and, also his not influencing prosecution witnesses, and, besides his appearing before the trial Court concerned, as and when directed to make his personal appearance unless he becomes validly exempted.

7. Copy dasti.

(SURESHWAR THAKUR)
JUDGE

05.07.2022

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Whether speaking/reasoned:-	Yes/No
Whether reportable:	Yes/No