

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CRM-M-27323-2020 (O&M)
Date of Decision: 6th April, 2022

Jabir

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Hemant Bassi, Advocate for the petitioner.

Ms. Dimple Jain, Assistant Advocate General, Haryana.

AVNEESH JHINGAN, J (Oral):

This petition under Section 439 of the Code of Criminal Procedure is filed seeking regular bail in FIR No.15 dated 25.1.2020 under Sections 342, 365, 395, 397 IPC and 25 of Arms Act (later on Section 506, 412 IPC have been added) registered at P.S. Manesar, District Gurugram.

As per the case set up there was an incident on 23.1.2020 in which the truck of the complainant was intercepted and thereafter, goods loaded were looted. Rs.7000/- and a mobile phone was snatched from complainant. The complainant was blindfolded taken to a place and thereafter, he was released after giving him Rs.2000/-. The petitioner was apprehended on the basis of the secret information, he confessed his role, got recovered the car allegedly used in incident and Rs. 3000/-.

Learned counsel for the petitioner seeks parity with co-accused Ikram who was granted bail by this Court vide order dated 9.9.2020. He submits that the petitioner is in custody since 7.2.2020, the

complainant has been examined. He argues that in the FIR there is no mention of the registration number of the car used in the incident.

Learned State counsel opposes the prayer and however, on instructions is not able to distinguish parity of petitioner with Ikram viz a viz grant of bail is concerned.

Without commenting on the merits of the case and considering that the petitioner is at parity with the co-accused, is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that 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 also disposed of.

[AVNEESH JHINGAN]
JUDGE

6th April, 2022
anuradha

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