

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

CRM-M-32424-2022

Date of Decision:-08.09.2022

Vikram.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Damanjeet Bhoriwal, Advocate for the Petitioner.

Mr. Kanwar Sanjiv Kumar, Assistant Advocate General,
Haryana.

JASJIT SINGH BEDI, J. (ORAL)

The Prayer in this petition under section 439 Cr.PC is for the grant of regular bail in case FIR No.80 dated 20.03.2022 under Sections 379-A, 341 and 34 IPC on registered at Police Station Bhuna, District Fatehabad.

The brief facts of the case are that one Sunil Kumar got recorded his statement to the effect that on 19.03.2022 while he was returning from the market and passing by Shiv Kavar Sangh, Uklana Road Bhuna then suddenly four boys came from behind and encircled him. Three boys caught hold of him. One boy snatched his mobile phone and ran away. He could identify the accused, if they are brought before him.

During the course of investigation a supplementary statement of the complainant was recorded in which he disclosed the names of Punit

son of Ramesh Kumar, Vikram (petitioner) son of Ramesh Kumar, Sukhbir @ Fauji son of Dale Ram and Pawan @ Ponki. Based on the aforementioned supplementary statement the accused came to be arrested on 20.03.2022.

The Counsel of the petitioner contends that the complainant was known to the petitioner and in fact a small altercation took place on the petty issue leading to the registration of FIR. The petitioner was in custody since 20.03.2022 and the investigation stands completed. As none of the prosecution witnesses had been examined so far, the trial was not likely to be concluded in near future and, therefore, the petitioner deserves the concession of regular bail.

The Counsel for the State on the other hand while referring to the reply dated 29.08.2022 in the shape of status report by way of a affidavit of Mr. Jugal Kishore, DSP, Fatehabad, District Fatehabad submits that petitioner is one of the main accused. He is also involved in one other case bearing FIR No.83 dated 3.4.2018 under Sections 379-B, 394, 411, 420, 467, 468 and 471 IPC P.S. Bhuna, District Fatehabad and looking at the antecedents of the petitioner and nature of allegations levelled against the petitioner, he does not deserve the concession of regular bail.

I have heard counsel for both the sides at length.

Admittedly, the petitioner is in custody since 20.03.2022. None of the 06 prosecution witnesses have been examined so far. The culpability of the petitioner shall be established during the trial. At this stage, the further incarceration of the petitioner is not required.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner-**Vikram** son of Sh.

Ramesh Kumar is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other crime other than the present case.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

September 08, 2022
Vinay

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