

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

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CRM-M-37743-2021 (O&M)

Date of Decision: 16.05.2022

HARJENDER @ SONU

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Bhupender Singh, Advocate for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.

HARINDER SINGH SIDHU, J.

Present petition has been filed under Section 439 Cr.P.C. seeking regular bail in case FIR No. 67 dated 21.02.2020, under Sections 379-B, 393, 511, 120B, 34 IPC and Sections 25, 54 of Arms Act, 1959 registered at Police Station Sampla, District Rohtak.

The FIR was lodged on the complaint of Vinod Kumar, who stated that on 20.02.2020 at around 1.00 P.m., he was present at his petrol pump namely Parkash Kissan Sewa Kender, Indian Oil, Bhainsru Khurd. Three persons came on a motorcycle with a view to snatch the cash from the Salesman at pistol point. However, as the salesman raised noise the assailants did not succeed in their attempt. They fled away to village Sampla on their motorcycle.

Learned counsel for the petitioner has argued that other co-accused, namely, Nitin @ Ginni and Mandeep @ Deep have already been granted concession of bail. He further submits that only allegations against the petitioner is that he had provided motorcycles, pistol and cartridges which were used in the alleged incident to all three co-accused. Petitioner is in custody since 07.03.2020.

On the last date of hearing, learned State counsel was requested to ascertain as to whether the petitioner was present in the CCTV footage of the cameras installed at the premises of petrol pump.

Learned State counsel states that the presence of the petitioner at the time of alleged incident could not be ascertained from the CCTV footage of the cameras.

Without commenting anything on the merits of the case and also bearing in mind the facts that the petitioner is in custody since 07th March 2020. Investigation in this case stands complete, challan stands presented and trial is unlikely to conclude in near future, in my opinion, no useful purpose will be served by detaining the petitioner behind bars any further. The petition is allowed. The petitioner Harjender @ Sonu is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

[HARINDER SINGH SIDHU]
JUDGE

May 16, 2022
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Whether speaking/reasoned	Yes/no
Whether reportable?	Yes/no