

CRM-M-38267 of 2022

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

CRM-M-38267 of 2022
Date of decision: 31.08.2022

Subhash

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr. Manish Mehta, Advocate,
for the petitioner.

Mr. Himmat Singh, Deputy Advocate General, Haryana.

ASHOK KUMAR VERMA, J. (ORAL)

Custody certificate filed in Court today is taken on record.

Through this petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in case FIR No.231 dated 09.07.2021 registered under Sections 392, 397, 379B, 411 and 34 IPC and Section 25 of the Arms Act, 1959 (Later on Sections 186, 332, 353 and 452 IPC were deleted and Sections 392, 397, 411 IPC were added) at Police Station Civil Lines, Sonipat, Haryana.

According to the prosecution, petitioner along with his co-accused committed robbery of ₹9 lacs at pistol point in the Punjab National Bank Branch Model Town, Sonapat.

Learned counsel for the petitioner contends that the petitioner

CRM-M-38267 of 2022

has been falsely implicated in this case on the statement of his co-accused Deepak son of Krishan. He has nothing to do with the alleged incident. Investigation in the present case is complete and the challan has already been presented. Nothing is to be recovered from the petitioner. Petitioner is in custody since 15.07.2021. Out of 21 witnesses only 5 witness have been examined as yet. Conclusion of trial may take a long time. Petitioner is not involved in any other criminal case. PW1 Roma Rawat, Senior Managar, Punjab National Bank, MCC Kundli, District Sonipat; PW3 Pooja wife of Rajesh, Clerk, Punjab National Bank, Model Town Branch, Sonipat; PW4 Rashmi @ Rashim, Clerk, PNB, Model Town, Sonipat and PW5 Ram Lal Arora, Special Assistant, Punjab National Bank, Model Town, Sonipat, have not supported the prosecution case and failed to identify the petitioner and his co-accused. Therefore, no useful purpose would be served by keeping the petitioner behind bars.

On the contrary, learned State counsel opposed the present petition for grant of regular bail to the petitioner.

Keeping in view the facts and circumstances of the case, the fact that aforesaid witnesses have not supported the prosecution version and failed to identify the petitioner; petitioner is not involved in any other case and the conclusion of trial may take a long time but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and petitioner-Subhash is ordered to be released on regular bail on furnishing of bail bonds and

CRM-M-38267 of 2022

surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned.

August 31, 2022
R.S.

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No