

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 236

CRR-1271-2020 (O&M)
Date of decision : 24.02.2022

Ashish

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Vinay Puri, Advocate, for the petitioner.

Ms.Sheenu Sura, DAG, Haryana.

DEEPAK SIBAL, J. (ORAL)

The matter has been taken up through video conferencing.

Through the present petition filed under Section 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015 the petitioner seeks regular bail in FIR No.67 dated 19.09.2019 registered under Sections 379-B, 411, 201 and 120-B IPC at Police Station Mansa Devi Complex, District Panchkula.

Briefly stated, the case of the prosecution is that on 18.09.2019, at about 8:30 pm, the complainant who was going on his activa scooter, was stopped by three boys who beat him, snatched his mobile phone/purse/other documents and then caused an injury on his leg with a sharp edged weapon.

Learned counsel for the petitioner submits that at the time of alleged offence the petitioner was a minor; the petitioner is in custody since 05.12.2019; all the material witnesses, including the complainant, already stand examined in the petitioner's trial; similarly placed co-accused namely Rahul Chawria and Rahul @ Khinu, who had earlier approached this Court through CRM-M-6409-2021 *Rahul Chawria vs State of Haryana* and CRM-12990-2021 *Rahul @ Khinu vs State of Haryana* have been granted regular bail and that the petitioner's trial, in which 14 prosecution witnesses still remain to be examined, shall take a long time to conclude.

Learned State counsel opposes grant of bail to the petitioner on the ground that he is involved in another criminal case under Sections 325/34 IPC and if released on bail he may indulge in similar offences.

The petitioner is in custody for the last nearly two years and three months; he was a minor on the date of occurrence; similarly placed co-accused namely Rahul Chawria and Rahul @ Khinu have already been granted regular bail by this Court; all the material witnesses, including the complainant, already stand examined in the petitioner's trial and that since 14 prosecution witnesses still remain to be examined in the petitioner's trial, the same is likely to take a long time to conclude.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Panchkula the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

24.02.2022

shamsher

[DEEPAK SIBAL]
JUDGE

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