

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

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**CRM-M-40516 of 2022
Date of decision: 21.11.2022**

RAGHUBIR @ KALA @ RAGHBIR

..PETITIONER

Vs.

STATE OF HARYANA

..RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. B.S. Rana, Sr. Advocate with
Mr. Nayandeep Rana, Advocate for the petitioner.

Mr. R.S. Nain, DAG, Haryana.

HARNARESH SINGH GILL, J.

Through this petition, the petitioner seeks regular bail in case FIR No.0129, dated 25.04.2019, under Sections 406, 420 and 379-B(added later on Sections 323, 506 and 120-B IPC), registered at Police Station Sector 17, District Faridabad.

Learned Senior counsel for the petitioner states that the allegations against the petitioner is that he had snatched the post dated cheque amounting to Rupees one crore and forty lacs issued by Rajesh @ Candy Baba and during investigation the said cheque has been recovered from him, that no offence under Section 420 and 406 IPC is made out against the petitioner, that co-accused namely Sakshi Ahuja, Naresh Dhanda and Paras Jain have already been granted the concession of bail by learned Additional Sessions Judge, Faridabad, that the petitioner has been in custody since 26.09.2020.

Learned State counsel while opposing the bail application of the petitioner submits that petitioner is a active member of gang run by Rajesh @ Candy Baba and that there are specific allegations against the petitioner that he was present at the spot along with Rajesh @ Candy Baba, Balwinder, Naresh and they had snatched a cheque and issued life threats to the complainant. He further submits that the earlier regular bail application of the petitioner was dismissed on 06.04.2021 by this Court. There is no change of circumstances than the one, mentioned in the earlier petition and no new facts pleaded in the present petition. Challan stands presented.

I have heard learned counsel for the parties.

There is no specific allegation against the petitioner. The cheque in question which was alleged to be snatched by the petitioner recovered from co-accused Rajesh @ Candy Baba. Petitioner has been in custody since 26.09.2020. As far as other case is concerned, the petitioner is on bail. Challan has been presented. Co-accused namely Sakshi Ahuja, Naresh Dhanda and Paras Jain have already been granted the concession of bail by learned Additional Sessions Judge, Faridabad,

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

November 21, 2022
Poonam Sharma

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