

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

CRM-M-47531-2021 (O&M)

Date of decision: 22.07.2022

Surjeet @ Sonu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. B.S. Mamli, Advocate for the petitioner.

Mr. Surender Singh, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.267 dated 23.05.2020, registered at Police Station Sadar Thanesar, District Kurukshetra, under Sections 328 and 379 IPC.

Learned counsel for the petitioner contends that the petitioner has been indicted on the disclosure statement suffered by the co-accused in another FIR; that the version of the complainant is not believable that he accompanied the strangers, the petitioner and co-accused, to take soft drink with them; that the petitioner has been in custody since 20.06.2020; that the complainant has been examined and the remaining prosecution witnesses are yet to be examined and that as far as one more case is concerned, he was indicted on the disclosure statement of the co-accused and he is on bail in that case.

Learned State counsel, while vehemently opposing the prayer for

bail, submits that the petitioner along with co-accused have snatched Rs. 10,000/- from the complainant, withdrawn by him from the Bank, by giving him some drug in soft drink. The petitioner is involved in one more case of similar nature. However, he does not dispute the custody period of the petitioner. He submits that complaint has been examined and identified the petitioner during trial, but the remaining prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 20.06.2020. The recovery has already been effected. Moreover, in one more case of similar nature, the petitioner was involved on the basis of disclosure statement and he is on bail in that case. Though the complainant has been examined, the remaining prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would take time. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

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

(HARNARESH SINGH GILL)
JUDGE

22.07.2022
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No