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CRM No.38810 of 2021
in/
and
CRM-M-46100 of 2021

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No.38810 of 2021
in/
and
CRM-M-46100 of 2021
Date of Decision:-06.04.2022

Deepak

....Petitioner

Vs.

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. S.S. Duhan, Advocate for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

KARAMJIT SINGH, J.

Prayer is for grant for regular bail to the petitioner in case having FIR No.308 dated 15.06.2021 registered under Sections 307, 394, 397, 34 of IPC, 1860 and Section 25 of Arms Acts, 1959, Police Station Narnaund, District Hansi.

The counsel for the petitioner submitted that FIR was registered in this case against the unknown persons who shot at Sri Niwas and snatched cash of Rs.4,25,000/- from him and then fled away. The counsel submitted that the alleged recoveries have already

been effected in this case and on completion of investigation the police has presented the challan. During trial injured Sri Niwas and his father failed to identify the petitioner in the Court. It is further contended that petitioner is in custody for the last more than 8 months and is not involved in any other case.

The present petition is contested by the State counsel who submitted that serious allegations of snatching are there against the petitioner. However, at the same time, the State Counsel failed to refute the fact stated by the counsel for petitioner that the complainant and his father did not identify the petitioner during the trial.

The recoveries have already been effected. Admittedly, challan has been presented on the completion of investigation and now trial is going on and as per the copies of the statements of PW3 and PW4 provided by counsel for the petitioner, injured Sri Niwas and his father failed to identify the petitioner in the Trial Court. As per the custody certificate the petitioner is in custody for the last more than eight months and is not facing any other criminal case. So no purpose would be served by keeping the petitioner in custody for any longer period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is hereby ordered to be released on regular bail subject to furnishing bail and

surety bonds to the satisfaction of the CJM/Duty Magistrate
concerned during the pendency of the trial.

06.04.2022
P. Chawla

(KARAMJIT SINGH)
JUDGE

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