

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-47694-2021

Date of Decision: 26.7.2022

Sandeep @ Boxer

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Harinder Singh, Advocate for
Mr. Jasbir Mor, Advocate,
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.93 dated 24.4.2021 registered for the offences punishable under Sections 379-A, 34 IPC (added later on) at Police Station Lakhna Majra, District Rohtak.

Counsel for the petitioner submits that FIR in this case was registered against 3 young men on the basis of the statement of the complainant Subhash in which he alleged that aforesaid 3 unidentified persons having muffled faces and were riding on Splendor motorcycle, intercepted him and snatched an amount of ₹ 10,500/- and his motor cycle HF Deluxe.

Counsel for the petitioner further submits that the petitioner is in custody since 5.7.2021 and no incriminating article was recovered from him except for ₹ 600/-. He further submits that during the trial, the

complainant has been examined but he failed to identify the petitioner. Copy of the testimony of the complainant which is supplied today by the counsel for the petitioner is taken on record.

State counsel while opposing the present petition has not disputed the fact that FIR in this case was registered against unknown persons and that the petitioner was arrested on 5.7.2021 and that during the investigation, only currency worth ₹ 600/- were recovered from possession of the present petitioner.

As per copy of the testimony of the complainant, it is evident that material witness has already been examined during the trial. It will take considerable time for trial to terminate.

In the given circumstances, now there is no apprehension that if released on bail, the petitioner is going to pressurize and win over the complainant. Thus, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

July 26, 2022

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No