

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

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**CRM-M-49709-2021 (O&M)
Date of Decision: 07.01.2022**

Saurabh

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Ivneet Singh Pabla, Advocate for petitioner.

Mr. Amit Aggarwal, Deputy Advocate General, Haryana.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

CRM-40389-2021

Allowed, as prayed for.

CRM-396-2022

This is an application under Section 482 Cr.P.C. for placing on record documents Annexures P/3 and P.4.

Documents (Annexures P/3 and P/4) are taken on record, subject to all just exceptions.

CRM is allowed.

Main Case

Present petition under Section 439 Cr.P.C has been moved by petitioner-**Saurabh** for grant of regular bail in case FIR No.206 dated 08.10.2020 under Sections 201, 379-B, 392 and 411 IPC, registered at

Learned counsel for the petitioner *inter alia* contends that version, as alleged in the FIR, is totally concocted one and there is no iota of truth therein. He further urges that allegedly petitioner along with co-accused snatched e-rickshaw, mobile phone and cash amounting to Rs.1,000/- belonging to complainant-Surjit, whereas petitioner has no nexus whatsoever with the alleged offence. He further submits that that petitioner is languishing in custody since 19.10.2020 and he is no more required by the Police for any investigation purpose as after completion of investigation, final report under Section 173 Cr.P.C. (*Challan*) has already been presented in Court and trial has commenced. He further submits that though summons has already been served upon complainant-Surjit, but he has not appeared before the Court to make deposition and now appearance of said witness (Surjit) is being secured through warrants of arrest returnable for 08.02.2022, as is evident from orders dated 09.11.2021 (Annexure P/3) and 14.12.2021 (Annexure P/4). He further urges that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties and have carefully gone through the contents of petition.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into

consideration the fact that petitioner is in custody since 19.10.2020; that petitioner is no more required by the Investigating Agency for investigation purpose; that *Challan* has already been presented in Court and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Saurabh** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/ Chief Judicial Magistrate/Duty Magistrate, Jhajjar, as the case may be.

(LALIT BATRA)
JUDGE

07.01.2022

Varinder Prashad

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No