

215 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-52781-2021

Date of decision: 7th February, 2022

Kuldeep

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Ashok K. Sharma Bhana, Advocate for the petitioner.
Ms. Geeta Sharma, DAG, Haryana.

AVNEESH JHINGAN, J (Oral):

1. Due to COVID-19 situation, the Court is convened through video conference.
2. This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 227, dated 15.10.2020, under Section 379-A of IPC, 1860, registered at Police Station Garhi, Tehsil Narwana.
3. The FIR was registered at the instance of Ravi Pal. It was alleged that on 14.10.2020 four boys came on two motorcycles. The complainant was counting money and accused snatched the sale proceeds of the liquor vends totality of Rs.5480/-. Mobile of one of the co-accused fell and was recovered from the spot. Randeep @ Amanpal, Kuldeep @ Vicky(petitioner), Gurmeet @ Bachi and Jaswinder @ Jassi made as disclosure statement in FIR No. 287, dated 16.10.2020, under Sections 379/411 of the Indian Penal Code, registered at Police Station Sadar, Kaithal that they were involved in the incident for which the present FIR was registered. During investigation Rs.300/- was recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that it is a case of false implication and he was nominated in the present FIR due to his involvement in other cases. He is in custody since 23.12.2020 and Co-accused was granted bail by the Additional Sessions Judge, Jind.

5. Learned State counsel on instructions opposes the prayer for grant of regular bail and submits that petitioner is involved in six more case. She submits that challan has been presented.

6. Without commenting upon the merits of the case, considering the custody period, nature of recovery made at the instance of the petitioner, the fact that co-accused was granted bail and conclusion of the trial is likely to take time, petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. The petition is allowed.

8. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

7th February, 2022

Parveen Sharma

1. Whether speaking/ reasoned	:	Yes /No
2. Whether reportable	:	Yes /No