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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M No.54605 of 2021  
Date of Decision: 07.07.2022

SURESH KUMAR

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr. Bhupender Singh, Advocate  
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.

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**RAJ MOHAN SINGH, J.(Oral)**

Petitioner seeks grant of regular bail in his second attempt under Section 439 Cr.P.C in case bearing FIR No.283 dated 12.04.2021 registered under Sections 379-B, 34 IPC and Section 25 of the Arms Act (Section 201 IPC added later on) at Police Station Sadar Karnal, District Karnal.

As per prosecution story, Ram Pal s/o Sohan Lal and Baljeet Singh s/o Munshi Ram were working on HTC Karna Lake Filling Station with the complainant Sushil Kamboj. The complainant has alleged that on 12.04.2021, the aforesaid Ram Pal and Baljeet went to deposit an amount of Rs.15,35,974/-in

Punjab National Bank, Uchana by keeping the said amount in the dickey of their motorcycle. When they reached near Shiv Mandir, G.T. Road, three young persons stopped the motorcycle and snatched the bag containing the amount in question. Petitioner was arrested on 22.04.2021 in the present case on the basis of production warrant and disclosure statement made by him in some other case.

Learned counsel for the petitioner submits that identity of the petitioner would remain debatable firstly for want of his test identification parade and secondly the material witnesses namely Baljeet Singh and Ram Pal have turned hostile and they have not supported the case of the prosecution despite their cross-examination which did not yield any incriminating material against the petitioner. Petitioner is in custody since 22.04.2021.

Learned State counsel submits that out of 16 prosecution witnesses 4 prosecution witnesses have been examined so far.

Earlier bail was got dismissed as withdrawn by way of moving a specific application i.e. CRM No.34160 of 2021 and thereafter prayer for bail was rejected by the Court of Sessions.

Keeping in view the aforesaid facts and circumstances

of the case, I deem it appropriate to enlarge the petitioner on regular bail, without adverting to the merits of the case,

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

July 07, 2022  
*Atik*

(RAJ MOHAN SINGH)  
JUDGE

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |