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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M No.119 of 2022 (O&M)

Date of decision: 12.01.2022

Mohan Lal

....Petitioner

Versus

State of Haryana

....Respondent

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

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

Mr. Deepak Grewal, DAG, Haryana.

**ARVIND SINGH SANGWAN J. (Oral)**

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.568 dated 21.08.2021, for offence punishable under Sections 379-B, 34, 452, 506 of the Indian Penal Code, 1860 (in short 'IPC') (Sections 392, 397, 458 and 120-B IPC added later) registered at Police Station Assandh, District Karnal.

Counsel for the petitioner has submitted that as per the allegations in the FIR, registered at the instance of the complainant Om Parkash Garg, on the date of incident when he was going back to home, 02 persons entered his house and robbed him of Rs.70,000/- at gun point. It is further submitted that after the arrest of the main accused Virappan @ Pistol and on his disclosure, it came that the petitioner did a *recci* about the movement of the complainant and supplied information to him (main accused) and therefore, he is part of conspiracy.

**CASE HEARD THROUGH VIDEO CONFERENCING**

Counsel for the petitioner has further argued that the primary allegation against the petitioner is of Section 120-B IPC and it will be a matter of trial, whether the petitioner has supplied information to the main accused or not as no scientific evidence has come against him, in this regard. Lastly, it is submitted that the petitioner is in custody for the about 04 months and the investigation is complete.

Counsel for the State on the basis of the Custody Certificate has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody for the last about 04 months; the petitioner is not involved in any other case; the investigation is complete; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time due to COVID-19 situation, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

**(ARVIND SINGH SANGWAN)**  
**JUDGE**

**12.01.2022**

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No