

(216) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-51931-2022

Date of Decision: 17.11.2022

PUNIT KUMAR

... Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. V.B. Godara, Advocate
for the petitioner.

Mr. Kanwar Sanjiv Kumar, Asstt. A.G., Haryana.

JASJIT SINGH BEDI, J.

The prayer in this petition under section 439 Cr.PC is for the grant of regular bail in case FIR No.80 dated 20.03.2022 under Sections 379-B, 341 and 34 IPC on registered at Police Station Bhuna, District Fatehabad.

2. The brief facts of the case are that one Sunil Kumar got recorded his statement to the effect that on 19.03.2022 while he was returning from the market and passing by Shiv Kavar Sangh, Uklana Road Bhuna then suddenly four boys came from behind and encircled him. Three boys caught hold of him. One boy snatched his mobile phone and ran away. He could identify the accused, if they are brought before him.

3. During the course of investigation a supplementary statement of the complainant was recorded in which he disclosed the names of Punit son of Ramesh Kumar (petitioner), Vikram (since granted bail vide order dated

08.09.2022 passed in CRM-M-32424-2022) son of Ramesh Kumar, Sukhbir @ Fauji son of Dale Ram and Pawan @ Ponki. Based on the aforementioned supplementary statement the accused came to be arrested on 20.03.2022.

4. The counsel of the petitioner contends that the complainant was known to the co-accused Vikram and in fact a small altercation took place on the petty issue leading to the registration of FIR. The petitioner was in custody since 20.03.2022 and the investigation stands completed. As none of the prosecution witnesses had been examined so far, the trial was not likely to be concluded in near future and, therefore, the petitioner deserves the concession of regular bail. Even otherwise, the co-accused of the petitioner i.e. Vikram has been granted bail by this Court in CRM-M-32424-2022, decided on 08.09.2022.

5. The counsel for the State on the other hand submits that the petitioner is one of the main accused. The nature of the allegations levelled against the petitioner, do not entitle him to the concession of regular bail. He however does not deny the fact that the co-accused of the petitioner namely, Vikram has been granted the concession of bail.

6. I have heard counsel for both the sides at length.

7. Admittedly, the petitioner is in custody since 20.03.2022. None of the 06 prosecution witnesses have been examined so far. The culpability of the petitioner shall be established during the trial. At this stage, the further incarceration of the petitioner is not required

8. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner-Punit Kumar son of Sh.

Ramesh Kumar is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

9. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other crime other than the present case.

10. Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

17.11.2022

JITESH

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