

CRM-M-4192 of 2023

[1]

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-4192 of 2023

Date of decision: 2nd February, 2023

Rohit @ Rama

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Aakash Dalal, Advocate for the petitioner.
Mr. Samarth Sagar, Addl. AG, Haryana.

AVNEESH JHINGAN, J (Oral):

This is a second petition seeking regular bail in FIR No. 339 dated 26.12.2020, under Sections 379-A, 506, 392 IPC (Sections 411 and 34 IPC added later on), registered at Police Station City Jhajjar.

The earlier petition was withdrawn on 12.7.2022.

The brief facts are that FIR was registered at the instance of Mohan. As per allegations, on 26.12.2020, his tractor along with harvest machine was standing at Kuldeep Chowk, three youths came on the motor cycle and asked him to assist him in cutting the fodder. One of the youth sat on the tractor and took him to the fields where four boys threatened him to hand over the entire cash. The complainant was able to flee. When he returned, he found the battery, tool box and mobile phone missing. The petitioner was nominated on the basis of disclosure statement of the co-accused.

Learned counsel for the petitioner submits that the petitioner is in custody since 26.12.2020, three co-accused were granted bail by the Sessions Court. The contention is that the investigation is complete and no further recovery is to be made from the petitioner.

Learned counsel for the State opposes the prayer for grant of

bail, however on instructions fairly submits that investigation is complete and out of twenty-two witnesses only four have been examined. He further submits that the petitioner is involved in another FIRs.

Considering the nature of allegations and the fact that name of the petitioner surfaced in the disclosure statement, though investigation is complete trial is likely to take time and involvement of the petitioner in another FIR in itself would not be a ground to deprive his personal liberty, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

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

2nd February, 2023
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |