

2023:PHHC:144102

**216 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**Date of Decision: 14.11.2023
CRM-M-6638-2023 (O&M)**

**SUNNY @ YASH SHARMA ... PETITIONER
VS.
STATE OF HARYANA .. RESPONDENT**

CRM-M-7502-2023 (O&M)

**PRASHANT ... PETITIONER
VS.
STATE OF HARYANA .. RESPONDENT**

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. R.S.Randhawa, Advocate
for the petitioner in CRM-M-6638-2023.

Mr. Kunal Dawar, Advocate
for the petitioner in CRM-M-7502-2023.

Ms. Ankita Ahuja, Assistant Advocate General, Haryana.

VIVEK PURI, J.(ORAL)

1. The petitioners are seeking regular bail in the case bearing FIR No. 0381 dated 13.08.2019 under Sections 148/149/323/324/341/379-B/506/201 IPC registered at Police Station SGM Nagar, District Faridabad.

2. Custody certificates have been placed on record.

3. Learned counsel for the petitioners contend that as per the allegations, during intervening night 11/12.08.2019, the petitioners alongwith others had way laid the complainant and his brother. They snatched a sum of Rs.19,970/- from the complainant. Sunny @ Yash Sharma-petitioner inflicted knife injury on the nose and Karan, co-accused, inflicted injury by means of sword on the upper side of the right eye. It has been further submitted that the petitioners are in custody for a period of

more than 01 year and 01 month. The other six co-accused are on bail. The

injuries on the person of the complainant are simple in nature. The investigation of the case is complete and challan has been presented in the Court. Furthermore, the mother of Sunny @ Yash Sharma-petitioner had submitted a complaint to the police authorities alleging that the complainant party armed with firearms had come to the house of the petitioner and gave abuses. However, no action was initiated by the police in that regard. It has also been submitted that Sunny @ Yash Sharma-petitioner though involved in other cases but the same have no semblance with the instant case and is on that in other cases. In two cases, he has been convicted but he has undergone the sentence imposed upon him. It has also been submitted on behalf of Prashant-petitioner that no specific role has been attributed to him and he is on bail in the other three cases registered against him which have no semblance with the instant case. Furthermore, about 14 criminal cases have been registered against the complainant party.

4. Learned State counsel has opposed the bail application on the score that the petitioners have categorically and specifically named in the FIR.

5. It is significant to note that the petitioners are in custody for a period of more than 01 year and 01 month. All the other six co-accused have been released on bail. The petitioners are stated to be on bail in other cases registered against them. There is no specific allegation attributed against the petitioners with regard to snatching of sum of Rs.19,970/- from the complainant. The injury attributed to Sunny @ Yash Sharma-petitioner is stated to be simple in nature. No injury has been attributed to Prashant-petitioner. The investigation of the case is complete and challan has been presented. The conclusion of trial is likely to take some time and no fruitful

purpose will be served by detaining the petitioners in further custody.

6. In such circumstances, sufficient grounds are made out to extend the concession of bail to the petitioners. Accordingly, without making any observation on the merits of the case, both the petitions are allowed and petitioners are ordered to be released on bail, subject to their furnishing bail/surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

14.11.2023

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(VIVEK PURI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No