

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-7925-2023 (O&M)

DATE OF DECISION: FEBRUARY 20, 2023

MOHIT

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA.

PRESENT: MR. JITENDER NARA, ADVOCATE FOR THE PETITIONER.
MR. KARAN GARG, AAG, HARYANA.

DEEPAK MANCHANDA, J.(ORAL)

CRM-7274-2023

For the reasons mentioned in the application, the same is allowed.

Main Case

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.29 dated 3.9.2022, under Section 379-B, 34 IPC, Police Station GRP Bahadurgarh, District GRP Ambala Cantt.

As per the allegations levelled in the FIR, on 22.8.2022, at about 10.30 p.m. when the complainant alongwith his family was travelling in Kalindi Express, on reaching Bahadurgarh Railway Station in the morning, an unknown person came and sat in between the ladies of his family and started hurling abuses to someone on his mobile. On being objected to by the complainant, he called his other 2-3 accomplices from the

other coach of the train and gave beatings to him and misbehaved with the ladies and inflicted injury on his eye. Thereafter, when the complainant was deboarding the train at Bahadurgarh, a red colour bag being possessed by his wife containing Rs.10,000/- was snatched by him and in a hurry, the said accused left behind his bag which was handed over to the police.

Learned counsel for the petitioner has argued that the petitioner has not been named in the FIR and has been implicated on the basis of the disclosure statement of the co-accused. He submits that no role has been attributed to the petitioner as regards, the injury given or snatching of bag. He further submits that the investigation of the case is complete and the challan also stands presented and no useful purpose would be served in keeping the petitioner behind the bars who is in custody since 4.12.2022. He prays that the petitioner be released on regular bail during the pendency of the trial.

On the other hand, learned State counsel assisted by SI Krishan Kumar has opposed the aforesaid prayer. However, he has not disputed that the challan stands presented on 8.12.2022 and the charges are yet to be framed.

Considering the above background, the fact the challan stands presented on 8.12.2022, however, the charges are yet to be framed, and further that the offences are triable by Magistrate, further detention of the petitioner may not be necessary for any useful purpose.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds

to the satisfaction of the trial Court concerned.

The petition is allowed.

February 20, 2023
Gulati

(DEEPAK MANCHANDA)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No