

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

CRM-M-8997-2023

Date of Decision: April 19, 2023

DEEPAK @ CHATAK

..... Petitioner

Versus

STATE OF HARYANA

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Sunik Kumar Pandey, Advocate for petitioner.
Mr. Ramesh Kumar Ambavta, A.A.G., Haryana.

HARKESH MANUJA, J. (ORAL)

By way of present petition, prayer has been made for grant of regular bail pending trial in case FIR No.99 dated 02.03.2020 under Sections 379-B IPC (during investigation offence under Section 379-B IPC was deleted and offence under Sections 392, 397 read with 34 of IPC and 25(1-B)(a) of Arms Act, 1959 were added later on) registered at Police Station DLF, District Gurugram.

As per allegations levelled against petitioner, he snatched two mobile phones and one wallet from complainant on gunpoint.

Learned counsel for petitioner submits that the petitioner has never been named in FIR and has been falsely implicated in present case. He further submits that investigation already stands concluded with the filing of challan on 13.12.2021 followed by framing of charge on 18.02.2022 and has suffered incarceration for a period of 1 year, 7 months and 12 days by now. He points out that the trial is likely to take some time as there are 24 witnesses and only six witnesses have been examined so far.

On the other hand, on instructions from ASI Sandeep, P.S. Sector 29, DLF, Gurugram prayer made herein has been opposed by learned State counsel while referring to antecedents of petitioner who is allegedly involved in total nine cases.

I have heard learned counsel for parties and have gone through the paper-book. I find submissions made on behalf of petitioner.

Considering the fact that investigation already stands concluded followed by framing of charge and the petitioner having suffered incarceration for a period of 1 year, 7 months and 12 days now and out of total nine cases (including the present petition), the petitioner having already undergone sentence in seven cases whereas in one case he is on bail, I do not see any reason to extend the incarceration of the petitioner as the trial is likely to take some time.

Without commenting upon merits of the present petition, the same is allowed. Petitioner is ordered to be released on bail subject to his furnishing of adequate bail bonds/surety bonds to the satisfaction of the trial Court/Ilqa Magistrate/Duty Magistrate.

19.04.2023
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(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>
