

219 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9371-2023

Date of Decision: 03.08.2023

Randeep

...Petitioner

VS.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.ShekhawatPresent : Mr. Amardeep Hooda, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant a regular bail in case FIR No.193 dated 24.07.2021 registered under Sections 392, 397, 365, 34 of IPC and Sections 25-54-59 of Arms Act, at Police Station Julana Jind.

2. The FIR in the present case was got registered by Manoj Kumar son of Subh Ram, resident of village Dubaldhan. As per him, at about 2.20 p.m. on 24.07.2021, he along with his vehicle was standing at Gobind Dham and one young boy came to him and started talking to him. In the meantime, three more young boys came there and pulled out their weapons and made him sit in his own vehicle. They took him away with them and he was dropped in the fields of village Karela and they took away the vehicle i.e. Kia Saltos bearing registration No. HP-63B-5804 with them by snatching it on the pistol point. With these main allegations, the FIR in the present case was registered against unknown persons.

3. Learned counsel for the petitioner submits that the petitioner was not named in the present FIR and there was no evidence on record, which could show the involvement of the present petitioner in the alleged crime. He further contends that his co-accused, namely, Vikas Dabas has already been granted the concession of regular bail by this Court vide order dated 10.01.2023. Learned counsel further contends that in the present case, the complainant was examined as PW-1 and he has not supported the case of the prosecution. As per the petitioner, he is in custody since 13.11.2021 and all the material witnesses have already been examined. Thus, his custody will serve no meaningful purpose.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he is facing prosecution in four more FIRs. However, she admits that the petitioner is acquitted in two cases.

5. I have heard the learned counsel for the parties and perused the record.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned subject to the following conditions:

- (i) *The petitioner shall appear before the learned trial Court on each and every date of hearing and shall not absent during the course of trial, without prior permission of the trial Court.*
- (ii) *The petitioner shall appear before the SHO, Police Station*

Julana, Jind on the first Monday of the English Calendar month and his presence shall be marked in the roznamcha of the police station.

(iii) The petitioner shall also inform the learned trial Court about his ordinary place of residence and number of the mobile phone, which shall be used by him, during the course of trial.

03.08.2023
hemlata

(N.S.SHEKHAWAT)
JUDGE

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