

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

**CRM-M-11587-2023
Decided on:-24.05.2023**

Yogesh and another

....Petitioners..

vs.

State of Haryana

....Respondent..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Naveen Kashyap, Advocate,
for the petitioner.

Mr. R.K. Ambavta, AAG, Haryana.

HARKESH MANUJA J.

1. By way of present petition filed under Section 439 Cr.P.C, prayer has been made for grant of regular bail in case FIR No.370 dated 14.09.2022, under Section 379-B and 34 IPC, registered at Police Station Urban Estate, District Rohtak.

2. The allegations against the petitioners are that on 13.09.2022 at around 10:15 p.m, they snatched mobile phone from an ice-cream vendor, besides having looted his sale money of Rs.8000/- and ran away.

3. Learned counsel for the petitioners submits that the petitioners are in custody for the last 8 months and conclusion of trial is likely to take some time, thus, he prays for grant of concession of regular bail.

4. On the other hand, learned State counsel opposes the prayer made on behalf of the petitioners while referring to the antecedents of the petitioners, who are involved in other cases of similar nature and thus, prays

for dismissal of the present petition.

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

6. In the present case, the investigation already stands concluded and the trial has commenced, however, complainant, namely, Amit Goswami, who appeared as PW-2, has not supported the case of the prosecution completely. Besides it, the petitioners have even volunteer to compensate the complainant to the tune of Rs.10,000/- each.

7. Considering the aforesaid as well as the fact that petitioner has already suffered incarceration for a period of 8 months and trial is likely to take some time, I do not find any reason to extend their incarceration any further.

8. Thus, without expressing any opinion on the merits of the case, the present petition is allowed and petitioners are ordered to be released on bail, subject to their furnishing bail bonds and surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

9. However, the petitioners shall deposit a sum of Rs.10,000/- each before the trial Court at the time of their release, which shall be disbursed in favour of the complainant after due verification.

24.05.2023

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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/ No