

(209)

2023:PHHC:067446

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

CRM-M-11617 of 2023

Date of Decision: May 10, 2023

Banta Singh alias Roshan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Kulwinder Singh, Advocate for the petitioner.

Mr. Randhir Singh, Addl. AG, Haryana.

DEEPAK GUPTA, J.(Oral)

The petitioner is seeking regular bail by way of this petition under Section 439 Cr.P.C in case FIR No.946 dated 28.10.2022 registered under Section 379-A/34 of the IPC (Sections 472, 411, 420 of the IPC were added later on) registered at Police Station City Sirsa, District Sirsa.

As per the allegations in the FIR, two boys riding a motorcycle came from behind and suddenly snatched the bag of complainant Pawan Kumar on 28.10.2022. On raising noise by him local residents of the area caught hold the snatchers and their names were revealed as Karan and Banta Singh (petitioner). After necessary investigation challan was filed.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated; that during trial complainant Pawan has not supported the prosecution case.

Learned counsel for the petitioner submits that as per

statement of (PW-1) Pawan made on 26.04.2023 before the Trial Court, though the occurrence took place with him but his bag was not snatched by accused. It is also submitted that co-accused Karan Singh @ Karni has already been allowed by this Court vide order dated 08.05.2023 in CRM-M-10645 of 2023.

As per the custody certificate placed on record by learned State counsel, petitioner has already undergone custody of 06 months and 11 days in this case and he is involved in three more cases but he is on bail in these three cases.

Having regard to the fact that complainant of the case has turned hostile and also considering the custody period of the petitioner and on the ground of parity, but without commenting anything on the merits of the case, petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

Disposed of.

May 10, 2023

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(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No