

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-17711-2023

Date of Decision: 20.4.2023

Amit alias Hakla

....Petitioner

VERSUS

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Narender Kaajla, Advocate, for the petitioner.
Mr. Naveen Kumar Sheoran, DAG, Haryana.

KARAMJIT SINGH, J.

CRM-17301-2023

Allowed as prayed for and documents Annexures P-3 and P-4
are taken on record subject to all just exceptions.

Main case

Prayer in the present petition under Section 439 of Code of
Criminal Procedure is for grant of regular bail to the petitioner in case FIR
No.153 dated 20.4.2022 registered for the offences punishable under
Sections 392, 397 IPC and 25 of Arms Act at Police Station Sadar, Hansi.

The allegations in nutshell are that the petitioner and his
companions snatched ₹ 52,000/- from complainant-Jagjit who was
travelling in his car on 20.4.2022.

Counsel for the petitioner *inter alia* contends that the petitioner
has been falsely implicated in the present case and is incarcerated for the
last more than 7 months and during trial, complainant-Jagjeet and other
material witnesses PW3-Pardeep have not supported the case of the
prosecution and copies of their testimonies and Annexures P-3 and P-4.

Present petition is resisted by the State counsel who submits that the petitioner was named in the FIR and was actively involved in snatching of ₹ 52,000/- from complainant-Jagjeet and during investigation, the petitioner was arrested on 28.8.2022 and ₹ 1000/- out of total snatched amount was recovered from his possession. However, the State counsel on instructions from ASI Rajesh Kumar has not disputed the fact that during trial, complainant-Jagjeet and eye witness Pardeep failed to identify the petitioner and other accused persons.

I have considered the submissions made by the counsel for the parties.

Admittedly, the petitioner is incarcerated for the last more than 7 months. From perusal of Annexures P-3 and P-4, it appears that complainant-Jagjeet and eye witness-Pardeep while appearing in the witness box, have not supported the case of the prosecution. Still, it will take considerable time for the trial to conclude. In the given circumstances, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

April 20, 2023
Paritosh Kumar

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