

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

(219)

CRM-M-19609 of 2023
DATE OF DECISION:-24.05.2023

Parveen @ Pammi

...Petitioner

vs.

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Jagmohan Ghumman, Advocate, for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

Mr. Shiv Kumar, Advocate, for the complainant.

HARKESH MANUJA, J.

(1) By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, petitioner prays for grant of regular bail pending trial in case FIR No.515 dated 26.12.2022 under Sections 379-B (since deleted), 34 IPC, 1860 (Sections 392, 394, 34, 120-B IPC, 1860 added later on) P.S. DLF, District Gurugram.

(2) As per allegations levelled in the FIR, petitioner along with his accomplices conspired together and in pursuance thereof bag containing cash of Rs.24,07,530/- belonging to Astha Company Chakarpur, Gurugram, was snatched from the complainant.

(3) Learned counsel for the petitioner submits that in the present case, investigation already stands concluded with the filing of *challan* though the trial is likely to take some time. Petitioner has already suffered incarceration for a period of almost 5 months and the involvement of the petitioner is yet to be established upon trial.

(4) On the other hand, learned State counsel assisted by Mr. Shiv

Kumar, Advocate, appearing on behalf of complainant oppose the prayer made herein while submitting that there is one another case under the provisions of IPC which is pending against the petitioner and recovery of Rs.1 Lakh from by the petitioner is yet to be made.

(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 petitioner.

(6) In the present case, petitioner has suffered incarceration for a period of almost 5 months and the investigation already stands concluded with the filing of *challan* and even a sum of Rs.1 Lakh already stands recovered from the petitioner, as per information provided by the learned State counsel, however, the involvement of the petitioner is yet to be established upon trial, thus, I do not find any reason to extend his incarceration any further, thus, the petitioner deserves the concession of regular bail.

(7) Without commenting anything on the merits, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

(8) However, nothing expressed hereinabove shall be construed as an expression of opinion on the merits of the case.

24.05.2023
anil

(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No