

205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:077215
CRM-18770-203 in/and
CRM-M-21049-2023
Date of Decision: May 26, 2023

Vipin

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

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

Mr. Randhir Singh, Addl. A.G., Haryana.

DEEPAK GUPTA, J.(Oral)

CRM-18770-2023

This is an application under Rule 3-A(i) of Chapter-6, Part B, Volume V of Punjab and Haryana High Court Rules and Orders for exemption of Roll of Advocate number in the petition.

Allowed as prayed for.

CRM-M-21049-2023

Status report by way of affidavit of Shri Manoj Kumar, Assistant Commissioner of Police, Udyog Vihar, Gurugram filed on behalf of respondent-State.

Petitioner is praying for grant of regular bail in case FIR No.291, dated 23.07.2021, registered at Police Station Palam Vihar, Gurugram, under Sections 379-A/34 of IPC.

FIR was registered on the complaint of Sharvan S/o Balram, as per which on 23.07.2021, he was going towards Kapashera. As he reached near Section 21, Gurugram, a black coloured motorcycle make Splender, ridden by two boys came from behind and snatched his blue coloured mobile phone make REDMI 5 MI and ran away. The

complainant had also provided the mobile number used in the snatched mobile phone and submitted that he chased the snatchers and shouted loudly and at some distance bike of the snatchers slipped and both the boys fell down. One of the boy succeeded in fleeing away, but the other one was caught, who disclosed his name as Vipin and from his pocket snatched mobile was found, which had broken due to fall on the road. Said Vipin (petitioner) also disclosed the name of other person as Rahul, who had fled away. Police was called and petitioner was handed over to the police.

It is revealed further that after completion of the investigation, challan had already been filed. During trial, statement of complainant Sharvan was recorded as PW1 and he supported the prosecution case and even identified the petitioner to be one of the snatchers.

It is contended by learned counsel for the petitioner that petitioner has been falsely implicated; that he was only driving the motorcycle and that snatching was committed by co-accused.

On the other hand, learned State counsel pointed out towards the contents of the FIR, which have been supported by the complainant during trial, as per which petitioner was nabbed at the spot itself and the snatched mobile was recovered from him.

Learned State counsel has also pointed out that petitioner is involved in two more cases, as per details given in the reply.

Having considered submission of both the sides and having regard to the contention made by learned State counsel and the criminal

antecedent of the petitioner, but without commenting anything on the merits of the case, this Court does not find this to be a fit case for granting regular bail.

Dismissed.

May 26, 2023
sarita

(DEEPAK GUPTA)
JUDGE

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