

2023:PHHC:064194

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

CRM-M-21532-2023

Date of Decision: 04.05.2023

DINESH

... PETITIONER

VS.

STATE OF HARYANA

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr.Devender Kumar, Advocate
for the petitioner.

Mr. Gurbir Singh Dhillon, AAG, Haryana.

VIVEK PURI, J.(ORAL)

1. The petitioner is seeking regular bail in the case bearing FIR No.187 dated 09.05.2022 under Sections 379-B/506/34 IPC and Sections 25-54-59 of the Arms Act registered at Police Station Chandhut, District Palwal.

2. Custody certificate has been placed on record.

3. Learned counsel for the petitioner contends that as per the allegations in the FIR, three persons with muffled faces were travelling on a motorcycle and snatched a sum of Rs.9,810/- from the complainant. The petitioner has not been named in the FIR. The petitioner has been sought to be implicated on the basis of the disclosure statement of co-accused- Manish, who has been granted regular bail. Only a sum of Rs.250/- has been recovered from the petitioner. Though, the petitioner is involved in two other cases but he is on bail in both the cases. The investigation of the case is complete and challan has been presented.

4. Learned State counsel has opposed the bail application on the score that the petitioner is involved in two other cases. However, it has not

been disputed that two co-accused have been granted regular bail by the learned trial Court.

5. Perusal of the custody certificate indicates that the petitioner has been arraigned as an accused in another case under Section 379-B IPC but his arrest has been effected in the said case and the present case on the same day. The petitioner is stated to be on bail in another case which was registered against him in the year 2017. In the instant case, the petitioner has been sought to be nominated on the basis of the disclosure statement of the co-accused, who has been released on bail. Furthermore, only a sum of Rs.250/- has been recovered from the petitioner. He is in custody for a period of 04 months and 18 days. The investigation of the case is complete and challan has been presented. The conclusion of trial is likely to take some time and no fruitful purpose will be served by detaining the petitioner in further custody.

6. In such circumstances, sufficient grounds are made out to extend the concession of bail to the petitioner. Accordingly, without making any observation on the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

04.05.2023
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No