

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

223

CRM-M-22861-2023

Date of Decision.:09.11.2023

Aman @ Dhillu

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Mohit Rathee, Advocate for the petitioner.

Mr. Randhir Singh, Addl. AG, Haryana.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.304 dated 19.07.2022 registered under Sections 379-B, 506, 37 of the IPC and Section 25 of Arms Act (Sections 341, 120-B of the IPC added later on) registered at Police Station Beri, District Jhajjar.

2. As per the prosecution version, FIR was lodged on the complaint of Sanjay Kumar son of Radheyshyam, as per which on the date of occurrence, i.e. on 19.07.2022 he along with his brother Pawan Kumar had started the journey. At about 07:00 p.m. they were waylaid by two persons with muffled faces, who on gun point snatched their money bag and fled away. During investigation CCTV cameras installed in the vicinity were checked and three unknown persons were found to have snatched the money bag. During further investigation complainant and one witness namely Karambir identified the snatchers to be Aman @ Dhillu (petitioner), Sanjeev

CRM-M-22861-2023

@ Sanjeet and Dheeraj.

3. It is contended by learned counsel that as per the prosecution version it is the complainant and Karambir who had identified the snatchers to be the petitioner and two others. Learned counsel has drawn attention towards the testimony made before the Court by Sanjay Kumar- PW-1 (Annexure P-2) and Karambir- PW-2 (Annexure P-3). Both of them clearly stated that they cannot identify the snatchers who were in muffled faces. PW-2 has gone to the extent that he does not know anything related to the case and that police had never met him in connection with the present case. None of these witnesses and other witness namely Ashish, identified the accused as snatcher.

4. Learned State counsel could not refute the aforesaid contentions. Custody certificate placed on record by learned State counsel reveals that petitioner is in custody for the last 01 year 02 months and 23 days though he is involved in one more case.

5. Having regard to the above facts and circumstances, but without commenting anything further on the merits of the case, this petition is allowed and 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.

(DEEPAK GUPTA)
JUDGE

November 09, 2023

Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No