

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

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CRM-M-23564-2023

Date of decision: 15.05.2023

PREETAM

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Aditya Jain, Advocate and
Mr. Rahul Vohra, Advocate
for the petitioner.

Mr. Karan Garg, AAG, Haryana.

DEEPAK MANCHANDA, J.(ORAL)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.29 dated 03.09.2022 under Sections 379-B and 34 of IPC, registered at Police Station GRP Bahadurgarh, GRP Bahadurgarh.

As per allegations levelled in the FIR, on 22.08.2022, the complainant along with his family was travelling in Kalindi Express, on reaching Bahadurgarh Railway Station, an unknown person came and sat in between the ladies of his family and started hurling abuses to someone on his mobile. On being objected to by the complainant, he called his other 2-3 accomplices from the other coach of the train and gave beatings to him and misbehaved with the ladies and inflicted injury on his eye. Thereafter, when complainant was deboarding the train at Bahadurgarh, a red colour bag being possessed by his wife containing Rs.10,000/- was snatched by him

and in a hurry, the said accused left behind his bag which was handed over to the police.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. It is alleged that recovery of Rs. 3,000/- has been effected from the petitioner, however, injuries inflicted on the complainant are simple in nature. The petitioner is in custody since 13.09.2022. He submits that challan stands presented, charges have been framed and out of total 19 prosecution witnesses, none has been examined yet and the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail. He further submits that the petitioner is not involved in any other case and the co-accused, namely, Mohit and Sagar have already been granted the concession of regular bail by the this Court vide orders dated 20.02.2023 and 13.04.2023 (Annexures P-2 and P-3 respectively).

On the other hand, learned State counsel assisted by Investigating Officer has opposed the aforesaid prayer on the ground that allegations levelled against the petitioner are serious in nature and recovery of Rs.3,000/- has also been effected from the petitioner. However, he has not disputed the fact that challan stands presented, charges have been framed and out of total 19 prosecution witnesses none has been examined. Learned State counsel further submits that the petitioner is not involved in any other case.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 13.09.2022.

It is not a case made out by the respondent-State that in case concession of bail is granted to the petitioner, he would hamper the course

of free and fair trial. Further, since the investigation has already been completed, challan stands presented, charges have been framed and out of total 19 prosecution witnesses none has been examined till date and co-accused, namely, Mohit and Sagar, who have already been granted bail by the this Court vide orders dated 20.02.2023 and 13.04.2023 (Annexures P-2 and P-3 respectively) where the petitioner claims parity and keeping in view the trial would take sufficient time, no useful purpose would be served in keeping the petitioner behind bars.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

May 15, 2023
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(DEEPAK MANCHANDA)
JUDGE

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