

2023:PHHC:129229

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

215

CRM-M-33538-2023

Date of decision : 05.10.2023

Vishal and another**..... Petitioners****versus****State of Haryana****..... Respondent****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. Sukhdeep Singh, Advocate
for the petitioners.

Mr. Ashok Kumar Sehrawat, DAG, Haryana.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.1165 dated 31.12.2022, registered for the offences punishable under Sections 201, 380 and 457 of IPC, at Police Station City Karnal, District Karnal.
2. As per the allegations levelled in the FIR, it has been alleged as under:-

“To The Choki Incharge Sadar Bazar Karnal. Sir, it is submitted that Naresh Bhutani son of Sh. Manohar Lal Bhutani, am resident of Gaushala Road Janakpuri near Mugal Agency and on the above address I have opened Godown of shoes. On 30.12.2022 I went away by shutting my godown. When on 31.12.2022 morning I went to my godown, then saw that the Kundi of door of roof was broken. When I checked Rs.1,35,000/- kept inside the table kept inside and Computer on table and UPS was not there. On checking the CCTV

2023:PHHC:129229

Camera installed in Godown then came to know that two boys have committed the theft. That our articles and money be recovered and legal action be taken against unknown thieves. Sd/- Naresh Application Naresh Bhutani M.No.9416790038. Police Action: Today I HC alongwith SPO Surjit Singh No. 103 Karnal present at police station that Naresh Bhutani son of Sh. Manohar Lal Bhutani resident of Gaushala Road Janakpuri Karnal by coming to police station submitted one complaint. That from the above complaint on finding the offence under Section 457, 380 IPC is committed after writing the instant request sent to the police Station for registration of case through SPO Surjit Singh No. 109 Karnal. After registration of case number of the case be informed.”

3. The case of the prosecution is that the petitioners were identified in CCTV footage.
4. Counsel for the petitioners submits that the petitioners are behind bar since 06.01.2023. Challan already stands presented and investigation is complete. Trial has proceeded considerably as the material witnesses already stand examined and the incarceration of the petitioners cannot be prolonged as a punitive measure.
5. Counsel for the State on the other hand opposes the bail petition on the ground that the petitioners have been identified on the basis of video footage and the trial is already nearing conclusion.
6. Without commenting on the merits of the case and keeping in view the incarceration already suffered by the petitioners, the present petition is allowed. Petitioners are ordered to be released on regular bail on their furnishing bail/surety bonds to the satisfaction of the Ld. Trial

2023:PHHC:129229

Court/Duty Magistrate, concerned.

7. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

05.10.2023
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No