

209 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-38516-2023

Date of Decision:11.08.2023

Mohit

...Petitioner

vs.

State of Haryana

...Respondent

**Coram :** Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Naveen Kashyap, Advocate  
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

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**N.S.Shekhawat J. (Oral)**

The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.652 dated 07.08.2022 registered under Sections 379-B, 341 and 34 of IPC at Police Station Indri, District Karnal.

As per the complainant, at about 11.00 a.m. on 07.08.2022, he was going on his motorcycle and on the way, four young boys on two motorcycles had intercepted him and after causing injuries to him, they snatched a sum of Rs.3,500/- from the right pocket of his pant and fled away on their motorcycles. As per the complainant, the name of one of the accused was Raju Puri Bengali and he could not identify the other accused. After the commencement of the investigation, the co-accused Sanju and Jamil @ Man Singh, who were already in custody in a case FIR No. 363, dated 08.06.2022 under Section 379-A of IPC at Police Station Gharaunda, suffered disclosure statements regarding their involvement in the present case. They were formally arrested on 01.09.2022 on production warrants and were joined in the investigation in the present case. During the course of investigation, the co-accused

suffered a disclosure statement and the present petitioner was also nominated as one of the accused in the present case.

Learned counsel for the petitioner submits that the petitioner was arrested in the present case on 16.08.2022 and is in custody for the last almost 11 months. There is no other case against him and the prosecution has relied upon 11 witnesses in the final report under Section 173 Cr.P.C., but no witness has been examined so far.

On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that the serious allegations have been levelled against the present petitioner.

I have heard the learned counsel for the parties and perused the record.

It is not in dispute that the petitioner was arrested in the present case on 16.08.2022 and no witness has been examined so far. Consequently, the conclusion of the trial will take a considerable time. No doubt, three more cases have been registered against the present petitioner, but he is on bail in all the three said cases.

Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned, subject to the following conditions:-

- (i) *The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.*
- (ii) *The petitioner shall remain present before the Court on the dates fixed for hearing of the case.*
- (iii) *The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.*

- (iv) *The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.*
- (v) *The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.*
- (vi) *In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously and the prosecution shall be at liberty to move a petition for cancellation of bail granted to him.*
- (vii) *The concerned Court may insist for two heavy local surties and may also impose any other condition, in accordance with law, while accepting the bail bonds and surety bonds of the petitioner.*
- (viii) *The petitioner shall report every 1<sup>st</sup> Monday in English calander month before the concerned SHO till the conclusion of the trial and SHO shall mark his presence by making an entry in the Rojnamcha. In case, he does not report on every 1<sup>st</sup> Monday before the concerned SHO, it shall be viewed seriously and the concession granted to him shall be liable to be cancelled and the State of Haryana shall be at liberty to move an appropriate application in this regard.*

11.08.2023  
hemlata

(N.S.SHEKHAWAT)  
JUDGE

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