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

214

CRM-M-55973-2022

Date of decision : 02.08.2023

Sandeep @ Bachhi**..... Petitioner****versus****State of Haryana****..... Respondent****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. Sandeep Lather, Advocate
for the petitioner.

Mr. Gaurav Bansal, DAG, Haryana.

PANKAJ JAIN, J. (Oral)

Prayer is for grant of regular bail in FIR No.192 dated 24.06.2016, registered for the offences punishable under Section 379-B (Sections 365, 397, 411, 34 IPC and Sections 25 and 54 of Arms Act, 1959 added later on), at Police Station Rai, District Sonapat.

2. As per the allegations levelled in FIR registered on the basis of a statement made by one Satish Arora, it has been alleged that while travelling from Panipat to Delhi, his Skoda car was hit by an Indica car. Complainant stated that he stopped his car ahead. From Indica car, boy got down and pleaded for pardon. In the meantime, two more boys came out from Indica Car. Those boys bundled the complainant in his Skoda Car and after rooming in the Car for an hour they tied him with a pole near Rohat canal. They snatched golden chain, one ring, some cash and his Car. A request for taking legal action against accused was made. Initially untraced report was prepared on

28.08.2016.

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3. In another FIR No.268 of 2016, registered for the offence punishable under Section 379-B of IPC at Police Station Rajindra Park, Gurugram, one Baljit was arrested. He in his disclosure admitted to the present crime and named the petitioner, who was arrested on 19.06.2017. Since then, the petitioner is behind bars.

4. Counsel for the petitioner submits that the disclosure of a co-accused being a weak piece of evidence, it is highly improbable that the story of prosecution can be believed. He further submits that keeping in view the incarceration suffered by the petitioner which is more than 06 years, he deserves to be released on bail.

5. Per contra, counsel for the State refers to the criminal antecedents of the petitioner submitting that he is facing prosecution in about 12 FIRs that too for heinous offences punishable under Sections 302, 392 and 365 IPC.

6. Faced with the situation, counsel for the petitioner asserts that apart from FIR No.13/2019, registered for offences punishable under Sections 342, 376(G) and 506 of IPC and that FIR no.470/2012, registered for offences under Sections 307 and 302 of IPC and Section 25-A of the Arms Act, the petitioner has earned acquittal in all the FIRs registered against him.

7. State counsel is not in a position to dispute the aforesaid facts.

8. Without commenting on the merits of the case and keeping in view the incarceration suffered by the petitioner, present petition is allowed. Petitioner is ordered to be released on regular bail, subject to

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satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

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

10. It is made clear that the trial Court shall be at liberty to impose any condition while admitting the petitioner to bail keeping in view the antecedents of the petitioner.

(PANKAJ JAIN)
JUDGE

02.08.2023
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No