

2023:PHHC:140255

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

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**CRM M-54050 of 2023
Date of Decision: 03.11.2023**

Ajay

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Raman Chawla, Advocate for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 439 Cr.PC with a prayer to grant regular bail in case FIR No. 80 dated 14.03.2023 registered under Sections 392, 341 of IPC, (Section 395 and 201 of IPC added later on) registered at Police Station Sadar, District Jind.

2. The FIR in the present case was registered on the basis of the statement made by Naresh Kumar son of Baru Ram Dhanda. As per him, on 13.03.2023, he had gone to Kaithal and while he was returning home, unknown persons had blocked his way with a white colour car without number plate and snatched his I-20 car bearing registration No.HR-40G-4161. All the accused were having sticks in their hands and had covered their faces. His two mobile phones were

also there in the car and were also snatched. He further submits that Rs.15000/-, Rs.4000/- in the wallet and two notes of Rs.2000/- were lying in the dashboard. They also took away his Aadhar Card, Driving license, Pan Card and Aadhar Card and Pan Card of his wife etc. As per the complainant the incident had taken place at about 01:30 AM on 13.03.2023.

3. Learned counsel for the petitioner contends that the petitioner was not named in the FIR and has been falsely involved by the police with some ulterior motive. He further contends that the petitioner was arrested in the present case on 21.03.2023 and is in custody for the last 07 months. Learned counsel further contends that in the present case, the complainant has already been examined and did not support the case of the prosecution. Learned counsel next contends that the co-accused of the petitioner, namely, Mahesh and Sunil @ Sonu have already been granted the concession of bail vide order dated 20.10.2023 passed by this Court in CRM M-52660 of 2023.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that there are serious allegations against the petitioner and the petitioner is not entitled for the concession of regular bail.

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

6. As per the admitted stand of the parties, the petitioner is confined in jail since 21.03.2023 and after the conclusion of the investigation, the challan has already been presented against the present petitioner. The co-accused of the petitioner, namely, Mahesh and Sunil @ Sonu have already been granted the concession of bail vide order dated 20.10.2023 passed by this Court in CRM M-52660 of 2023. Further, only one witness has been examined out of total nine witnesses and the conclusion of the trial before the Trial Court may take quite a long time. Thus, further custody of the petitioner will not be of any useful purpose.

7. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

03.11.2023

(N.S.SHEKHAWAT)

amit rana

JUDGE

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