

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-60812-2022

Date of Decision: 05.05.2023

GURPREET SINGH

..... PETITIONER

VS

STATE OF HARYANA

..... RESPONDENT

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Jimmy Singla, Advocate for the petitioner.

Mr. Karan Sharma, DAG, Haryana.

GURBIR SINGH, J. (ORAL)

* * * *

This petition is filed under Section 439 Code of Criminal Procedure, 1973 with a prayer for grant of regular bail in FIR No.022 dated 24.01.2022, under Section 392 IPC (Sections 201/392/506/120-B IPC added later on), registered at Police Station Ismailabad, District Kurukshetra, Haryana.

As per prosecution, on 24.01.2022 at about 04:15 AM, one car came for refueling diesel at petrol pump and they asked the complainant to refill the full diesel and he refueled. The driver of the car instead of making the payment of diesel, forcibly and at gun point took the complainant to the sales room and demanded cash/money. At the same time, two more persons came out of the car and forcibly entered the sales room. They snatched the licensed gun of the complainant and the

sale amount of the whole night, around Rs. 15000/-. The mobile was also taken from the room and kept in the car. While threatening to eliminate the complainant, they rushed towards Ambala side on the aforesaid car while throwing away his gun.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated. No identification parade was conducted. The petitioner is not named in the FIR. He was arrested in some other case. Two cans of lubricants and one screw driver were recovered in this case. He has been in custody since 22.03.2022. Challan has already been presented. The petitioner is also involved in six other cases but he is on bail in all cases except one.

Learned State counsel has opposed the prayer made by the learned counsel for the petitioner and he has fairly submitted that the petitioner is in custody since 22.03.2022.

Heard.

The petitioner is in custody since 21.03.2022. The challan has already been presented but charges are yet to be framed. Only two cans of lubricants and one screw driver have been recovered from the petitioner in this case. No identification parade was got conducted. The purpose of bail is to ensure that person attends the trial. The completion of trial will take a long time. No useful purpose would be served by keeping the petitioner behind the bars for a longer period.

Accordingly, without commenting upon the merits of the case, the present petition is allowed and the petitioner is directed to be

CRM-M-60812-2022

3

released on regular bail, on his furnishing bail bonds/surety bonds, to the satisfaction of learned Trial Court/Duty Magistrate, concerned.

However, nothing contained herein above shall be construed as an expression of opinion on the merits of the case.

05.05.2023.
renu

(GURBIR SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>