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

**CRM-M-62266-2023
Date of Decision: 15.12.2023**

Anil

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. V.S. Rathee, Advocate
for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.331 dated 05.07.2023, under Sections 379-B IPC, registered at Police Station Gohana City, District Sonapat.

2. Learned counsel for the petitioner submitted that the petitioner is in custody since 10.07.2023 and the investigation of the case has already been completed and thereafter, challan has also been presented before the competent Court. He further submitted that the petitioner has clean antecedents and is not involved in any other case whatsoever and the allegation in the present FIR is pertaining to theft of Rs.8,000/- and also of Rs.3,000/-, online through PAYTM. He also submitted that as per the allegations, the petitioner had stopped the vehicle of the complainant on the pretext that the installment of his car is to be checked and thereafter, the aforesaid theft was committed. He submitted that it was a concocted story of

the police and the petitioner, who is not a habitual offender and is not involved in any other case, has been falsely implicated in the present case. He further submitted that be that as it may, now the investigation of the case has already been completed and no recovery is to be effected from the petitioner and the trial of the case may take long time and therefore he may be considered for grant of regular bail.

3. On the other hand, Mr. Vishal Kashyap, learned Deputy Advocate General, Haryana, submitted that it is correct that the petitioner is in custody from 10.07.2023 and it is also correct that the investigation of the case has been completed and thereafter, challan has also been presented before the competent Court. So far as the antecedents of the petitioner are concerned, he submitted on instructions that the petitioner is not involved in any other case.

4. I have heard the learned counsels for the parties.

5. It is a case where the petitioner is in custody from 10.07.2023 and the investigation of the case has already been completed and thereafter, challan has also been presented before the competent Court. It has been stated by both the learned counsels for the parties that the petitioner has clean antecedents and is not involved in any other case. Even otherwise also the total subject matter of the theft is stated to be Rs.11,000/- only. Furthermore, it is neither the case of the State nor it has been argued by the learned State counsel that in case the petitioner is released on bail then he may abscond or flee from justice or may influence the witness or may tamper with the evidence or may repeat the offence. Therefore, considering the aforesaid facts and circumstances of the case and also of the fact that the

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trial of the case may take long time, this Court deems it fit and proper to grant bail to the petitioner.

6. Consequently, the present petition is allowed and the petitioner is ordered to be released on regular bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

7. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

15.12.2023

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

1. Whether speaking/reasoned:	Yes/No
2. Whether reportable:	Yes/No