

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

213

CRM-M-3840-2024
Date of decision: 30.01.2024

PRANJAL

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. R.S. Mamli, Advocate
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI. J.(Oral)

1. Through the instant petition, the petitioner craves for indulgence of this Court for his being enlarged on regular bail, in case FIR No.222 dated 22.08.2023, under Section 379-A read with Section 34 of IPC, and under Sections 379 and 411 of IPC, registered at Police Station Tohana, District Fatehabad.
2. The instant FIR was registered on a statement made by one Balwant Singh. The gist of the allegations, reads as under:-

"To SHO, P.S. Tohana, Subject: application against unknown person. Sir, it is requested that I Balwant Singh son of Gobi Ram, caste Bishnoi, resident of Village Parta, Tehsil and District Fatehabad. My wife Sumesh @ Suman, on 22.08.2023 around 9:30, she went to throw the garbage, then all of a sudden, two persons came on motorcycle and they snatched a gold chain from the neck of my wife. My wife screamed a lot and the above mentioned person cannot be traced. It is requested that chain be recovered from them and action be taken against them."

3. Learned counsel for the petitioner submits that apart from FIR

No.383/23, in which the petitioner was earlier arrested, and the present FIR, he is not involved in any other case.

4. The learned State counsel has placed on record the custody certificate issued by the Deputy Superintendent of Central Jail No.2 (Hisar), Haryana. The same is taken on record. Learned State counsel submits that the petitioner has undergone incarceration of about 04 months and 14 days, as on today. Learned State counsel on instructions, imparted to him by SI Sube Singh, submits that the final report was filed on 14.11.2023, and the charges are yet to be framed. Learned state counsel further informs this Court that out of the total 17 prosecution witnesses, none has been examined till date.

5. Considering the fact that the petitioner has undergone incarceration of about 04 months and 14 days, as on today, and the trial is yet to commence, this Court deems it appropriate to grant the concession of regular bail to the petitioner. Therefore, without commenting upon the merits and circumstances of the present case, the present petition is **allowed**. The petitioner is ordered to be released on bail on furnishing of bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

6. However, anything observed here-in-above shall have no effect on the merits of the trial and is meant for deciding the present petition only.

30.01.2024
amandeep

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.

:

Yes/No

Whether Reportable.

:

Yes/No