



CRM-M-5400-2024(O&M)

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

103+212

CRM-M-5400-2024(O&M)

Date of Decision:- 14.10.2024

Rahul

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Aakash Dalal, Advocate for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

AMARJOT BHATTI, J.

1. The petitioner – Rahul has filed petition under Section 439 Cr.P.C. for grant of regular bail in FIR No. 49 dated 24.03.2023 registered under Section 392, 342, 395, 379-B, 120-B, 34 of IPC and Section 25(1B) (a) of Arms Act, at Police Station Machhrauli, District Jhajjar.

2. As per the facts of case, Dharmender gave his statement to police that on the day of occurrence i.e. 24.03.2023, he was present in his mobile shop namely “Anuska Mobile”. At about 10:18 PM, two unknown persons entered his shop, shut down the shutter and on pistol point looted Rs.30,000/-. Said boys had covered their faces with a cloth. Said occurrence was captured in CCTV camera. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that petitioner is falsely implicated in this case. In fact, he was already arrested in another FIR and was joined in the investigation of this case on 26.03.2023. Allegations against him are false. He was not named in the FIR. Except one mobile phone no other recovery was effected from him. He is behind the bars

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since 26.03.2023. Investigation is complete and trial of this case may take some time. He is ready to abide by the terms of bail order. Therefore, his regular bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State. As per the status report, after completion of investigation challan was presented on 13.06.2023 against Rahul, Pritam, Yogesh alias Yogi, Dinesh alias Bagdi and Bijender alias Golu. After framing of chargesheet, case is pending for prosecution evidence. There are specific serious allegations against present petitioner. Therefore, he is not entitled to be released on bail.

5. I have considered the arguments and have gone through the record. After completion of investigation, challan is already presented. As per the report called from the learned trial Court, statement of complainant along with two other witnesses already recorded. Therefore, there is no question that petitioner will be able to influence the complainant. Trial of this case is likely to take some time. Therefore, without expressing my mind on the merits of case, regular bail petition filed by petitioner – Rahul is allowed. He is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge concerned.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

14.10.2024*Sunil Devi***(AMARJOT BHATTI)
JUDGE**Whether speaking/reasoned:
Whether reportable:Yes/No
Yes/No