



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

CRM-M-10870-2024
Date of Decision:09.05.2024

JASKARAN ALIAS JASSU

....Petitioner

VERSUS

STATE OF HARYANA

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Kuldeep Singh Siwach, Advocate
 for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana.

KARAMJIT SINGH, J.

Prayer in the present petition under Section 439 of Code of Criminal Procedure is for grant of regular bail to the petitioner in case FIR No.90 dated 06.04.2023 registered for the offences punishable under Sections 379-A, 341, 34 of IPC and (Section 379-B has been deleted and Section 379-B has been added later on) at Police Station Sadar Ratia, District Fatehabad.

2. As per prosecution version, on 06.04.2023 complainant-Bansi Lal lodged complaint with the police alleging therein that on the same very day i.e. 06.04.2023 at about 3.00 PM he was going to his residence and when he reached near sport stadium in Khunan Village, present petitioner and Ravi @ Bittu who were already known to him, came there on a motorcycle and stopped him. Ravi @ Bittu started manhandling the complainant and present petitioner snatched his wallet having Rs.4300/- and then they fled away from there. During



investigation petitioner was arrested on 06.04.2023 itself along with co-accused Ravi @ Bittu and police got recovered amount of Rs.550/- from him while another Rs.650/- were recovered at instance of accused Ravi @ Bittu.

3. Counsel for the petitioner submits that petitioner is falsely implicated in the present case and was not involved in any such incident of snatching and that prosecution has failed to connect amount of Rs.550/- recovered from petitioner with the alleged incident of snatching. It is further submitted that petitioner is in custody for the last more than 1 year and 1 month and is also involved in one another criminal case wherein he is already granted bail. Counsel for the petitioner further submits that complainant is already examined during trial but it will take considerable time for the trial to conclude. So, prayer is made that the petitioner be released on regular bail.

4. Present petition is resisted by State counsel, who on instructions from P/SI Sumit submits that petitioner and co-accused Ravi @ Bittu were involved in snatching of wallet containing Rs.4300/- from complainant. It is further submitted that both the accused are named in FIR and there are specific allegations against them. It is further submitted that no doubt petitioner is in custody for last more than 1 year and 1 month but the trial is going on and complainant has been examined. It is further submitted that in the given circumstances, there is no ground made out to release the petitioner on bail at this point of time.

5. I have considered the submissions made by the counsel for the parties.

6. The petitioner was arrested in the present case on 06.04.2023 and is presently lodged in judicial custody. Recoveries are already effected in the present case and during trial complainant is also examined. It being so, now there is no apprehension that if released on bail the petitioner will influence the complainant. Undoubtedly, it will take time for the trial to conclude. So, no purpose will be served by keeping the petitioner behind bars for any longer period.

7. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

09.05.2024
Priyanka Thakur

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