



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

241/1

Date of Decision:- 14.05.2024
1. CRM-M-12604-2024 (O&M)

ROSHAN

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

2. CRM-M-15596-2024 (O&M)

SONU

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. G.S. Sidhu, Advocate
for the petitioner in CRM-M-12604-2024.

Mr. Naresh Kumar, Advocate
for the petitioner in CRM-M-15596-2024.

Mr. Surender Singh, AAG Haryana.

SANJIV BERRY, J. (ORAL)

By this common order, the above-mentioned two criminal
miscellaneous petitions shall be decided as they arise out of the same FIR.

2. The instant petitions have been preferred by the petitioners
under Section 439 of the Code of Criminal Procedure for grant of regular
bail to the petitioners in the following case:-



FIR No.	Dated	Sections	Police Station
823	15.10.2023	379-A IPC	Civil Line, District Sirsa

3. It is, *inter alia*, contended by learned counsel for the petitioners that the petitioners are innocent and have been falsely implicated in the case. They submit that no specific overt act has been attributed to the petitioners in the alleged crime nor any injury is alleged to have been caused by them to the victim. He further submits that the petitioners are in custody since 10.11.2023 and after the completion of investigation, challan has since been presented in Court and no witness has been examined so far. Hence they pray for grant of regular bail to the petitioners.

4. *Per contra*, learned State counsel while referring to the reply/status report submitted by the State has opposed the grant of bail to the petitioners and submits that the petitioners along with co-accused had snatched the scooty, mobile phone and Rs.18,000/- from the victim and as such they do not deserve the concession of bail. He has, however, admitted that challan has already been presented in Court.

5. Heard.

6. After considering the respective submissions and perusing the record, it transpires that the instant case was registered on the complaint of the victim that on 15.10.2023, the petitioners along with co-accused had snatched the scooty, mobile phone and Rs.18,000/- of the complainant while they were being armed with iron *kappa*. During the course of investigation, the accused were arrested. Admittedly, no specific overt act is attributed to



the petitioners. They are in custody since 10.11.2023 and challan has been presented in Court, and no witness has been examined so far. The conclusion of trial to ascertain the criminal liability, if any, of the petitioners, will take sufficient long time and no purpose would be served by detaining the petitioners in custody any longer.

7. In these circumstances, without commenting on the merits of the case, the present petitions are allowed. The petitioners are ordered to be released on bail subject to their furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

9. Pending miscellaneous application(s), if any, stand disposed of.

(SANJIV BERRY)
JUDGE

14.05.2024
S.Sharma(syr)

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |