

In The High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-15083-2024 (O&M)
Date of Decision:- 03.04.2024

Arjun ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Afzal Hussain, Advocate, for the petitioner.
Mr. Ramender Singh Chauhan, AAG, Haryana.

FIR NO.	DATE	POLICE STATION	OFFENCES
488	14.10.2023	Badshahpur	392, 34 IPC (later on Section 392 IPC was dropped and Sections 394 and 506 IPC were added)

GURVINDER SINGH GILL, J. (Oral)

- The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
- The allegations, in nutshell are that on 13.10.2023 he had boarded an auto rickshaw from Rajiv Chowk, Gurugram at about 10.30 pm so as to go home. It is alleged that while on the way the driver and one more passenger cleverly stopped the rickshaw for the purpose of

urinating and the complainant also got down but shortly after the complainant had alighted from the said auto rickshaw, the driver and the other person sped away in the auto rickshaw leaving the complainant at the spot. It is alleged that the accused thus decamped with the complainant's bag which contained a laptop, mobile phone, head phone, credit card, debit card etc.

3. Learned counsel for the petitioner submits that he has falsely been implicated in the present case and that he otherwise enjoys a clean record.
4. Opposing the petition, learned State counsel submitted that although the petitioner is not involved in any other case but the instant case is a case where the laptop in question was recovered from the petitioner. It has been informed that the petitioner as on date has been behind bars since the last about 5 months and 16 days and that although challan stands presented but charges are yet to be framed and as many as 10 PWs have been cited.
5. This Court has considered the rival submissions addressed before this Court.
6. Without commenting anything as regards the merits of the case, but having regard to the fact that the petitioner admittedly has a clean record and is not stated to be involved in any other case and that the trial till date has not even commenced further detention of the petitioner would not be justified. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his

furnishing bail bonds/surety bonds to the satisfaction of learned trial
Court/Chief Judicial Magistrate/Duty Magistrate concerned.

03.04.2024
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No