

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

**CRM-M No. 16154 of 2024 (O&M)
Date of Decision: 09.04.2024**

Rahul

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Sukhdep Singh, Advocate for
Mr. Parminder Singh, Advocate,
for the petitioner.

Mr. Rajiv Sidhu, Deputy Advocate General, Haryana

HARKESH MANUJA, J. (ORAL)

The petitioner, by way of present petition filed under Section 439 Cr.P.C., seeks grant of regular bail pending trial in case bearing FIR No.1003, dated 12.09.2023, under Sections 379-A, 120-B & 34 of IPC, registered at Police Station Sadar, District Hisar, whereby he has been implicated with the allegations of having conspired with two others, namely, Shiva and Manav @ Ravinder about snatching of a gold chain of the complainant.

[2] Learned counsel for the petitioner submits that the petitioner is in custody since 24.09.2023, besides he is ready to compensate the complainant for a non-refundable sum of Rs. 40,000/- without prejudice to his rights in the trial; thus, prayer is for grant of regular bail to the petitioner.

[3] On the other hand, learned State counsel vehemently opposes

the prayer while referring to the antecedents of the petitioner. He submits that the petitioner is involved in two more cases of similar nature, though in one of the case, he is on bail. He further points out that other two co-accused, namely Manav @ Ravinder and Shiva are yet to be apprehended; thus, the petitioner does not deserve the concession of regular bail.

[4] I have heard learned counsel for the parties and gone through the paper-book. I find substance in the submissions made by learned counsel for the petitioner.

[5] In the present case, admittedly, the petitioner was neither present at the spot nor actively participated in the incident of snatching of gold chain of the complainant, as the said act was committed by his co-accused, namely, Manav @ Ravinder and Shiva. The petitioner has been implicated in the present case, while he was arrested in another FIR No. 104 dated 24.09.2023, registered at Police Station HTM, Hisar, based on confessional statement made therein. The petitioner is in custody for the last more than six months and his involvement in the present case is merely on the basis of his confessional statement made before the police in another FIR, though followed by recovery of one motor-cycle, which shall be the matter of trial and the conclusion of trial may take some time. Moreover, the petitioner, who is stated to be a young boy of 28 years' age, on his own volition is ready to compensate the complainant for a non-refundable sum of Rs. 40,000/- (Forty Thousand only) without prejudice to his rights in the trial.

[6] In view of the above, but without commenting upon merits of the present petition, the same is allowed. The petitioner is ordered to be

released on bail subject to his furnishing adequate bail bonds / surety bonds to the satisfaction of the Trial Court/Illaqa Magistrate/Duty Magistrate concerned. The petitioner shall deposit an amount of Rs. 40,000/- at the time of furnishing of his bail bonds and the same shall be released to the complainant upon due verification.

April 09, 2024
'dk kamra'

(HARKESH MANUJA)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>