

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

245

CRM-M-17322-2024 (O&M)
Date of Decision:- 16.04.2024

VISHAL

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Sandeep Gahlawat, Advocate for the petitioner.
Mr. Vishal Malik, DAG Haryana.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in the following case:-

FIR No.	Dated	Sections	Police Station
878	24.11.2023	379-A IPC	City Rohtak, District Rohtak

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the case. He contends that as per the case of the prosecution, the petitioner has allegedly snatched the mobile phone of the complainant, which was later on recovered from him. He submits that after the registration of FIR, the petitioner was arrested on 21.12.2023 and since then he is in custody. He further submits

that petitioner is not required for further investigation in the matter as challan has already been presented in Court. Charges are yet to be framed and the prosecution has cited 10 witnesses. It is submitted that there is no other case registered against him. He thus prayed for grant of regular bail to the petitioner.

3. Learned State counsel has opposed the bail petition of the petitioner, however, he has admitted that the mobile phone of the complainant has since been recovered from the petitioner and challan stands presented. He has also not disputed that there is no other case registered against the petitioner.

4. Heard.

5. After considering the respective submissions and perusing the record, it transpires that allegedly on 23.11.2023, the petitioner had snatched the mobile phone of the complainant, which has since been recovered from him. Admittedly, petitioner is in custody since 21.12.2023 and challan has already been presented in Court and charges have not yet been framed. In all 10 witnesses are to be examined by the prosecution and the conclusion of trial to ascertain the criminal liability, if any, of the petitioner, will take sufficient long time and no purpose would be served by detaining the petitioner in custody any longer.

6. In these circumstances, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his 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.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.
8. Pending miscellaneous application(s), if any, stand disposed of.

(SANJIV BERRY)

JUDGE

16.04.2024

S.Sharma(syr)

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