

224 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-20039-2024

Date of Decision : 02-05-2024

Digamber

.....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present:- Dr. Kirandeep Kaur, Advocate
for the petitioner.

Mr. Ashok Kumar Sehrawat, DAG Haryana.

PANKAJ JAIN, J. (Oral)

1. Prayer is for grant of regular bail in FIR No.506 dated 21.11.2022 registered for offences punishable under Section 379-B, 201, 411, 34 of IPC registered at Police Station Taraori, District Karnal, (Haryana).

2. As per the contents of the FIR, it has been alleged as under:-

“To, the SHO, P.S Taraori, Requested that 1 Sonu Yadav son of/Bhoop Singh resident of Village Karampur P.S Khuskhera Distt. Alwar Rajasthan, I am working as canter driver with Stish Sharma. On Dated 20/11/2022 I loaded canter number HR 47E 4182 from Ludhiana to Farukh Nagar Gurgaon, Haryana, when I reached at new Taraori bus stand when I started feeling sleepy in the canter and I park the vehicle sideway and when I was resting then two parson came there and took me down from the vehicle and put a knife of my waist and one of them hit me on the head from behind with a rod and snatched my important papers of the vehicle and also snatch the money and snatch my vehicle and run away, I can identify them whenever they come in front of me. My vehicle

papers, Money and vehicle be recovered and legal action be taken against them.”

3. Custody certificate has been produced. Petitioner has undergone actual custody of 1 year 5 months and 5 days and has no prior antecedents. Counsel for the petitioner submits that the complainant is not coming forth to support the prosecution and the trial is getting delayed. Trial Court has summoned the complainant through bailable and non-bailable warrants, however, he opted to evade the process.

4. Learned State counsel does not dispute the aforesaid fact.

5. Having heard counsel for the parties and after going through the records of the case.

6. Keeping in view the period of incarceration suffered by the petitioner and the fact that he has no prior antecedents, present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

7. Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

02-05-2024

spn

(PANKAJ JAIN)
JUDGE

Whether speaking/reasoned Yes
Whether Reportable No