

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

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CRM-M-28735-2023 (O&M)  
Date of Decision: 30.01.2024  
2024: PHHC: 012705

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NARENDER @ FATIYA

. . . . Petitioner

Vs.

STATE OF HARYANA

. . . . Respondent

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CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA

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Present: - Mr. Vikas Bishnoi, Advocate, for the petitioner.

Mr. P.K. Aggarwal, DAG, Haryana.

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DEEPAK GUPTA, J.

By way of this petition filed under Section 439 CrPC, petitioner prays for his release on grant regular bail in case FIR No.76 dated 18.02.2022 registered under Sections 379B/34/201 IPC at Police Station Sadar Fatehabad, District Fatehabad.

2.1 As per prosecution allegations, on 17.02.2022, at about 3:00 PM, complainant-Ram Murti was going towards her house from the fields. As she reached near Gurudwara, two unknown persons came on a motorcycle, waylaid her, snatched her gold locket at knife point and fled away towards the village Dhani Majra. While lodging the FIR, complainant also alleged that assailants caused injuries on her hand and throat and that she can identify them, if brought before her.

2.2 During investigation, co-accused Kuldeep Singh was arrested in case FIR No.91 dated 14.02.2022 under Section 379B read with Section 34 of the IPC and Section 25 of the Arms Act, registered at Police Station Adampur, District Hisar and on interrogation, he suffered disclosure statement, admitting

his involvement in the present case along with petitioner-accused Narender @ Fatiya. Petitioner as well as Kuldeep Singh then joined in the investigation in the present case after obtaining their production warrants. They suffered their disclosure statement. They were arrested. They got recovered snatched locket from IIFL Bank, Bhuna. Co-accused Kuldeep Singh also got recovered motorcycle used in the crime. During investigation, test identification parade was also conducted and the complainant identified the petitioner and co-accused. They also recovered gold locket. After completion of investigation, challan was filed.

3. It is contended by ld. counsel that petitioner has been falsely implicated; that he is in custody for the last more than 1 year and 8 months and that trial may take time to conclude and so he be granted bail.

4. Ld. State counsel has strongly opposed the bail petition by pointing out that after causing injuries to the complainant, petitioner and co-accused snatched her gold locket at knife point. It is also pointed out that petitioner has been duly identified by the complainant during investigation. Apart from the above, ld. State counsel drawn attention towards custody certificate revealing that petitioner is involved in as many as 7 cases, mostly pertaining to snatching. Not only this, he has also been convicted in case under Section 174 IPC.

5. Having considered submissions of both the sides and the criminal antecedents of the petitioner, but without commenting anything further on merits of the case, this Court is not inclined to grant the benefit of regular bail to the petitioner. As such, the present petition is hereby dismissed.

30.01.2024  
Vivek

(DEEPAK GUPTA)  
JUDGE

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| 1. Whether speaking/reasoned? | Yes |
| 2. Whether reportable?        | No  |