



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.29863 of 2024
Date of Decision: 04.07.2024

Ajay @ Khacchar		... Petitioner
	Versus	
State of Haryana		... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Aakash Juneja, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

MANISHA BATRA, J.

1. The instant petition has been filed under Section 439 of Cr.P.C. by the petitioner seeking grant of regular bail in case arising out of FIR No.562 dated 29.11.2023 registered under Sections 379B, 34 and 201 of IPC at Police Station Purani Sabzi Mandi Rohtak, District Rohtak.
2. Brief facts of the case relevant for the purpose of disposal of the present petition are that the aforementioned FIR was registered on the basis of written complaint filed by the complainant Lakshmi Devi alleging therein that on the night of 28.11.2023, she was going back towards her house along with her nephew Vansh aged about 10 years and when they were on the way, two youths came from behind and intercepted them. One of them hold her neck whereas the other by stabbing her with a knife on the palm of her right arm snatched the bag which she was carrying in her hand and fled from the street. The

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complainant started bleeding and fell down. She raised alarm on hearing which, her family members were attracted to the spot and took her to hospital. She alleged that a sum of Rs.2500/- and her Vodafone mobile phone sim card No.9812291157 were kept in the purse which had been snatched. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 08.12.2023. The mobile phone belonging to the complainant and cash amount of Rs.2500/- were recovered from him. The investigation has since been completed and challan has been presented in the Court. The petitioner had moved an application for grant of bail before the Court of learned Additional Sessions Judge, Rohtak which had been dismissed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. No test identification parade was conducted. He is in custody since 08.12.2023. He does not have any criminal antecedents. The trial is likely to take time. Therefore, it is argued that he deserves to be given concession of bail.

4. Per contra, learned State counsel has argued that keeping in view the gravity of the allegations as levelled against the petitioner, the benefit of bail should not be extended to him.

5. I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

6. The petitioner along with the co-accused is alleged to have snatched the purse of the complainant containing her Vodafone and some cash amount. Recovery of the same has been effected from him. The investigation has since been completed. The trial is likely to take time. His

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further incarceration would not serve any useful purpose. He does not have criminal antecedents. As such, I am of the opinion that the petition deserves to be allowed. The same is accordingly allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of learned trial Court and further subject to the condition that he will not tamper with the prosecution evidence, will not try to contact the private prosecution witnesses or intimidate them, shall furnish his present, complete and correct address along with the details of Aadhar Card and mobile phone number to the trial Court at the time of furnishing of bonds and in case, any change in his address or mobile phone takes place, then that would be intimated to the learned trial Court at the very first instance.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

04.07.2024
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No