



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32361-2023

Date of Decision : 14.08.2024

SHUBHAM

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CRM-M-33345-2023

RAVINDER

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Pankaj Bali, Advocate,
for the petitioner in CRM-M-32361-2023

Mr. Parveen Kumar Rohilla, Advocate,
for the petitioners in CRM-M-33345-2023

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI, J.(Oral)

1. Since both the petitions are arising out of a common FIR, therefore, being amenable for common decision, same are taken up together.

2. Through the instant petition, the petitioners crave for indulgence of this Court for him being enlarged on regular bail, in case FIR No.34, dated 03.02.2023, under Section 379-B, 511 and 34 of the

IPC and under Sections 25/54/69 of the Arms Act, registered at Police Station Butana, Karnal.

2. The instant FIR has been registered on a statement made by one Madan Lal, to the extent that two persons in order to snatch the bag, from the victim, which had jewellery articles in it, gave beatings to the victim in black and blue, and thereafter assaulted him with a sharpe edged weapon on his head and face. The complainant rescued the injured from the assailant, and one of the assailant was apprehended at the spot alongwith his motorcycle, however, another escaped from the spot.

3. The boy who was arrested from the spot, is one of the petitioners Ravinder, and the another person, who ran away from the spot is petitioner Shubham.

4. Learned counsel for the petitioners, in asking for the relief of regular bail, submits that the instant FIR was not got registered by the victim, rather it has been got registered by one Madan Lal, who has nothing to do with the instant crime.

5. They further submits that the petitioners have suffered incarceration of more than 1 year.

6. They further draws attention of this Court towards the order dated 01.02.2024, whereby, the co-ordinate bench had granted the relief of interim regular bail to the petitioners, and submits that both the petitioners have never misused the concession of interim bail, and were regularly appearing before the learned trial court concerned.

7. On the other hand, learned State counsel has vociferously opposed the asked for relief (*supra*), to the present petitioners, and has placed on record the custody certificates *qua* the petitioners, which are taken on record. It reveals that the both the petitioners has suffered incarceration of 1 year and 03 days, as on today, and they are involved in one more criminal case.

8. He, on instructions imparted to him by the police official concerned, submits that charges have been framed by the learned trial court concerned on 27.10.2023, and out of total 12 prosecution witnesses cited by the prosecution, none has been examined till date.

9. This Court has heard the learned counsel for both the parties concerned, and has gone through the entire case file.

10. Be that as it may, considering the fact that the petitioners have suffered incarceration of 01 year and 03 days as on today, and out of the total 12 prosecution witnesses cited by the prosecution none has been examined till date, therefore, conclusion of the trial will take a long time, and the fact that the petitioners have not misused the concession of interim regular bail granted by this Court, this Court deems it fit and appropriate to grant the concession of regular bail to the petitioners, during the pendency of trial. Therefore, without commenting upon the merits and circumstances of the present case, the present petitions are **allowed**. The petitioners are ordered to be released on bail, on furnishing their respective bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

11. However, it is clarified that if in future, the petitioners are found indulging in commission of similar offences, as are involved herein, the respondent-State shall be at liberty to make an appropriate application seeking cancellation of regular bail, as granted by this Court. Moreover, anything observed here-in-above shall have no effect on the merits of the trial and is meant for deciding the present petitions only.

A photocopy of this order be placed on the file of the connected case.

August 14, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No