



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CRM-M-32690-2024

Date of Decision : **July 16, 2024**

NAVEEN

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Gaurav Singla, Advocate for the petitioner.
Mr. Bhupinder Singh, D.A.G., Haryana.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition filed under Section 439 Cr.P.C. the petitioner prays for grant of regular bail in case FIR No.160 dated 28.2.2024, under Sections 379-B, 506, 201 and 34 IPC, registered at Police Station Sector-58, District Faridabad.

2. The prosecution agency was set into motion on a complaint made by one Arun Kumar son of Lachi Ram. The relevant extract of the statement on the basis of which the instant FIR has been registered, reads as under:-

“Sir, It is requested that I Arun Kumar S/o Lachi Ram R/o Village Mirzapur, Faridabad and I am a manager in Uro Pack Co. Sikri. That on dated 27.02.2024 in night at 10:00 p.m. I was consuming liquor with my friend Lalit and after this I dropped Lalit and I goes back to my house in my car i.e. DL8 CAJ-2922, then at around 11.35 p.m. I parked my car near a liquor vend on bypass road Village Jagru and start consuming some more liquor while sitting in the car. At that time three boys came there whose name and address I do not know and thy said this is our car and what are you doing in our car and they start enquired about me, I got down from the car and then an altercation took place and one boy pushed me down due to which I fell down. All three of them snatched away the keys of the car and cash of Rs. 250000/- from my jacket and dragged me aside and as I recovered from this all of three boys took away my swift car i.e.



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DL8 CAJ- 2922 and fled away after taking Rs. 250000/- and gave threat to me. I reported the matter after dialling 112. It is requested that strict legal action be taken against the accused and get recovered my car and cash and return it to me.”

3. During investigation, the statements of the witnesses have been recorded and even the CCTV footage of the place of occurrence were obtained. The present petitioner, who was arrested on 16.3.2024, in FIR No.70 dated 4.3.2024 under Section 25 of the Arms Act , registered at Police Station Sector-31, Faridabad and in that FIR, his disclosure statement was recorded *qua* committing of offence in the instant FIR, also and thereupon, he was arrested in the instant FIR.

4. Learned counsel for the petitioner in the asking for the relief of regular bail submits that there is no evidence with the prosecution to connect the present petitioner with the instant crime. The recovery is only of Rs.3,000/-, which would not connect him with the crime involved. He further submits that that looted articles i.e. car and the cash were recovered from co-accused and there is no connection between the present petitioner and the co-accused. Finally, he submits that the petitioner has suffered incarceration of about 4 months as on today and the trial is yet to begin, therefore, his further incarceration is totally unwarranted.

5. On the other hand, the learned State counsel has vociferously opposed the grant of regular bail to the petitioner, on the ground that the petitioner is a habitual offender and he is involved in two other cases. He further submits that there is a recovery of Rs.3,000/- and his disclosure



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statement wherein the petitioner has confessed that he has committed the instant offence with other co-accused.

6. This Court has considered the rival submissions made by the learned counsel for the parties concerned and is of the view that the petitioner deserves to be released on regular bail for the reason that the petitioner has suffered incarceration of about 4 months as on today and after completion of investigation, the final report has been filed on dated 1.5.2024 and still the charges have not been framed and the prosecution has cited total 24 witnesses, therefore, the conclusion of trial would take long time. Though the petitioner is stated to be involved in two other cases, however, in one of those cases, he is already on bail, therefore, this Court deems it fit and appropriate to extend the benefit of regular bail to the petitioner. Therefore, the present petition is **allowed**.

7. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

8. However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

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(KULDEEP TIWARI)
JUDGE