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

CRM-M-33600-2024

Date of Decision: 25.07.2024

Prince alias Pappan

...Petitioner

VS.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Prashant Singh Chauhan, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.125 dated 15.04.2024 registered under Section 379-A of IPC, at Police Station Rewari City, District Rewari.
2. The FIR in the present case was registered on the basis of the statement of Paramprit Singh son of Amar Singh and the same has been reproduced below:-

*“To, the Incharge Police Post Bharawas gate Rewari.
Sir, it is requested to you that I Paramprit son of Sh. Late Amar Singh resident of Flat No.303 Tower 9 BMG Elegant Heights and I am running a whole sale shop of cereals and sugar under the name of Prince Traders at Ganj Market Rewari and I have employed Rajesh Kumar son of Sh. Sarjit Singh resident of Pali as an accountant at my shop. That today, I and my accountant were*



present at shop and after asking my accountant to count the cash I left for gur Bazar for some work. That after sometime my accountant telephonically informed that while counting the cash one boy came and asked about the price of rice and after taking the price he forcefully snatched a bundle of Rs.50,000/- prepared by me and had ran away towards Katla Market. On getting such information I immediately reached my shop where my accountant along with the help of shopkeepers of Katla Market apprehended the boy who snatched Rs.50,000/- along with the cash. The snatcher boy disclosed his name as Prince son of Sh. Krishan resident of Ateli Manid. That this occurrence happened at about 04:30 Pm. That now I have handed over the boy prince along with Rs.50,000/- to you. Aforesaid Prince had forcefully snatched the money from my accountant Ramesh Kumar from my shop, while he was counting the cash. Legal action may be taken against him. Applicant Paramprit Singh son of Amar Singh resident of Flat No.303 BMG Elegant Heights Rewari, 9992077955.”

3. Learned counsel for the petitioner submits that the petitioner has been falsely involved in the present case. It has been alleged that the petitioner was apprehended at the spot and was handed over to the police authorities. In fact, there was some dispute between the complainant and the petitioner and the petitioner has been wrongly involved in the present case. He further contends that the petitioner was arrested in the present case on 15.04.2024 and after investigation, the final report under Section 173 Cr.P.C. has already been presented before the competent Court. He further submits that the prosecution has relied upon 06 witnesses, but no witness has been examined so far. As per learned counsel, the petitioner was involved in five more cases, however, he has been acquitted in three case, out of the said cases.



4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

5. I have heard the learned counsel for the parties and perused the record.

6. The petitioner was arrested in the present case on 15.04.2024 and is continuing in custody for the last more than three months. In the present case, after presentation of challan, the prosecution has not examined even a single witness and the trial is not likely to conclude in near future. Thus, no purpose will be served by keeping the petitioner behind bars.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned, subject to the following conditions:-

(i) *The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.*

(ii) *The petitioner shall remain present before the Court on the dates fixed for hearing of the case.*

(iii) *The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.*



- (iv) *The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.*
- (v) *The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.*
- (vi) *In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.*
- (vii) *The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.*
- (viii) *The petitioner shall report every 1st Monday in English calander month to the concerned SHO till the conclusion of the trial and SHO shall mark his presence by making an entry in the rojnamcha. In case, he does not report on every 1st Monday to the concerned SHO, it shall be viewed seriously and the concession granted to him shall be liable to be cancelled and the State of Haryana shall be at liberty to move an appropriate application in this regard.*

25.07.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

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