



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

CRM-M-51220-2024

Date of decision: 13.12.2024

Tini

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Raj Kumar, Advocate for the petitioner.

Mr. Karan Garg, AAG, Haryana.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 483 of BNSS 2023 seeking grant of regular bail in criminal case having FIR No.0164 dated 26.05.2024, under Sections 34, 379-A, 506 IPC, registered at Police Station Sonipat Sadar, District Sonipat.

2. The allegations in nutshell are that complainant Amit Kumar reported to the police, that on 26.05.2024 at about 1:30 PM, he was intercepted by three boys who were riding a motor cycle and they snatched mobile phone and Rs.2000/- from him and thereafter, fled away from there. During investigation, the petitioner was nominated as accused and was arrested on 27.05.2024.

3. Counsel appearing on behalf of the petitioner *inter alia* submits that the petitioner is falsely implicated in the present case and is in custody for the last more than six months and during trial, one of the eye witness namely Kuldeep failed to support the case of prosecution. It is further submitted that it will take time for the trial to conclude and thus, no fruitful purpose is going to be served by keeping the petitioner in custody for any longer period.

4. The present petition is resisted by the State counsel who on



instructions from Inspector Umesh submits that during investigation, the petitioner was nominated as accused and thereafter, he was arrested. It is further submitted that trial is going on and the complainant and one another witness are examined and complainant has supported the case of prosecution. However, the State counsel has not disputed the fact that the petitioner is in custody for the last more than six months and prosecution has to examine eight more witnesses in the trial.

5. I have considered the submissions made by counsel for the parties.

6. Admittedly, the FIR in this case was registered against unknown persons who snatched cash and mobile phone belonging to complainant Amit Kumar. Subsequently, the petitioner was nominated as an accused and was arrested and is in custody for the last more than six months and fourteen days. Both the material witnesses namely complainant and eye witness Kuldeep are examined during trial. Thus, there is no apprehension that in case, the petitioner is released on bail, he is going to pressurize both the said key witnesses. It will take time for the trial to conclude as till date, prosecution is able to examine only two witnesses out of total ten witnesses. It being so, no purpose is going to be served by prolonging the judicial custody of the petitioner, even if the complainant while appearing in the witness box has supported the case of prosecution.

7. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

13.12.2024

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No