

CRM-M-62081-2023

2024:PHHC:018398

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-62081-2023

Date of Decision : February 09, 2024

JAGDISH SINGH

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Ajay Kamboj, Advocate
for the petitioner.

Mr. Abhinash Jain, DAG, Haryana.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition, the petitioner craves for indulgence of this Court for his being enlarged on regular bail, in case FIR No.269 dated 9.7.2023, under Sections 34, 379A, 506 IPC, (Sections 379-B, 120B IPC were added lateron), registered at P.S. Dabwali Sadar, District Sirsa.

2. The prosecution agency was set into motion, on a complaint made by one Puran Chand, son of Sohan Lal, wherein, he alleged that he was working as Bureau Chief, Danik Bhaskar Dabwali, and on 08.07.2023, when he was going to his village, then three unidentified persons on a motorcycle came from behind, and snatched about Rs.3,000/- from his pocket, and also thrashed him. Subsequently, on the next day the present petitioner was arrested, and he was also identified by the complainant during investigation, that he was one of the person, who

was involved in the snatching.

3. The learned counsel for the petitioner submits that the present petitioner is behind the bars from past approximately 07 months and he has not been named in the FIR, and no recovery is to be effected from him. He further submits that the name of the petitioner had cropped up on the disclosure statement of co-accused, namely, Manpreet Singh, who has been granted bail by this Court vide order dated 31.1.2024 passed in CRM-M-56104-2023. He further submits that there is no evidence to connect the present petitioner, with the alleged crime and there is no other case against the petitioner, and the conclusion of trial will take long time.

4. Per contra, the learned State counsel, who is in receipt of advance notice, has placed on record the custody certificate of the petitioner, as issued by the Deputy Superintendent District Prison (Sirsa), Haryana. The same is taken on record. A perusal of the same reveals that the petitioner has undergone incarceration of about 06 months and 24 days, as on today. A perusal of the custody certificate further reveals that the petitioner is not involved in any other case. Learned State counsel on instructions, imparted to him by the official concerned, submits that the charges have been framed on 22.01.2024, and out of the total 10 prosecution witnesses, none has been examined till date.

5. Considering the allegations against the petitioner and the incarceration suffered by the present petitioner and he is behind the bars since 13.7.2023 and the fact that the co-accused, namely, Manpreet Singh, on whose disclosure statement the name of the present petitioner has cropped up, has been granted regular bail by this Court, this Court

deems it appropriate to grant the concession of regular bail to the petitioner. Therefore, without commenting upon the merits and circumstances of the present case, the present petition is **allowed**. The petitioner is ordered to be released on bail on furnishing of bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

6. However, it is clarified that if in future, the petitioner is 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 petition only.

(KULDEEP TIWARI)
JUDGE

February 09, 2024
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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No