

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-64915 of 2023(O&M)
Date of Decision: 16.02.2024

Sunny
...Petitioner
Versus
State of Haryana
...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Amit Khari, Advocate
For the petitioner.

Mr. Neeraj Sheoran, DAG Haryana.

KARAMJIT SINGH, J.

1. The present petition has been filed by the petitioner seeking grant of regular bail in criminal case having FIR No. 262 dated 24.03.2023, registered under Sections 365, 392 and 394 IPC and Sections 25(i-B)(a) of Arms Act at Police Station Samalkha, District Panipat.
2. As per the allegations in FIR, two unidentified persons snatched car No. HR05AN-8831 from complainant on 24.03.2023. During investigation the petitioner was nominated as accused. After completion of investigation, challan presented and charges were framed and during trial complainant appeared in the witness box as PW1 and copy of his testimony is Annexure P-2.
3. The counsel for the petitioner submits that the petitioner is falsely implicated in the present case and during trial complainant failed to support the case of prosecution as is evident from his statement Annexure P-2. It is further submitted that it will take time for the trial to conclude. So, prayer is made that the petitioner be enlarged on bail.

4. The State counsel on instructions from SI Satbir has not disputed the fact that the FIR in this case was registered against unknown persons and that during trial the complainant was declared as a hostile witness.

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

6. From a perusal of the custody certificate, it is evident that the petitioner is in custody for the last more than 10 months and is not involved in any other case. The petitioner was not named in the FIR and during trial complainant has failed to support the case of prosecution. It appears that there was no other eye-witness to the occurrence in question. In the given circumstances no purpose is going to be served by keeping the petitioner in custody for any longer period.

7. In light 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 bail subject to his furnishing of bail bonds and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

16.02.2024

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**(KARAMJIT SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No