

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

226

CRM-M-4376-2025***Date of decision: 14.05.2025***

Ravinder Kumar @ Binder

*.....Petitioner**Versus*

State of Haryana

*.....Respondent***CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Parminder Singh, Advocate for the petitioner.
Mr. Rajat Gautam, Addl.AG, Haryana.

MANJARI NEHRU KAUL, J (ORAL)

1. The instant petition has been filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case FIR No.292 dated 12.05.2022 under Sections 392,397,379-B IPC and 25/29 of Arms Act, 1959 registered at P.S Gharaunda, District Karnal.

2. Learned counsel for the petitioner submits that the petitioner's false implication in the present case is evident from the fact that as per allegations contained in the FIR annexed as Annexure P.1 with the petition, two unknown persons wearing black helmet along with face masks entered place of occurrence i.e the Bank. Both of these unknown persons were alleged to be armed with fire arms and thereafter snatched the mobile hand-set of the Bank Manager and also forcibly took away Rs.3,16,950/- at gun-point before fleeing away from the spot. It has been argued by learned counsel that a perusal of the FIR clearly reveals that it did not even contain the physical description of the two alleged assailants, however, strangely while deposing before the trial Court, the complainant had identified the petitioner as being the person who had committed the robbery in



question. Learned counsel submits that all the material witnesses in the present case stand examined, however, eight witnesses still remain to be examined, therefore the possibility of the trial concluding in the near future does not arise. On a pointed query as to whether the petitioner has any criminal antecedents, learned counsel submits that the petitioner is booked in a case registered under the provisions of Section 138 of NDPS Act, however, he is has never ever been booked in any case under the IPC.

3. Per contra, learned State counsel, on instructions, while opposing the prayer and submissions made by the counsel opposite, has reiterated the allegations levelled in the FIR in question, which stands reproduced hereinunder: -

“Canara Bank Vill Upli. Tehsil Gharaunda Distt. Karnal To The SHO Police Station Ghauranda Subject: Request to Lodge FIR Regd. Bank Robbery Incident at Canara Bank, Upli Branch, Teh Charaunda. Dist Karnal Dear Sir. We wish to report a robbery that took place today at our Branch premises at Canara Bank. Village Upli on 12.05.2022 at around 03:00 PM. Today two unknown person. entered our Branch one of them was wearing a black helmet and the other person was wearing a black face mask. Both of them were carrying firearms (pistol As soon as they entered the Branch they came to the counter and pointed gun at the bank officer and demanded to hand over all cash After that they snatched mobile phone from the Branch head (mobile no 8572825323) and then entered into the cash cabin and pointed gun at the cashier and forcefully took Rs.3.16,950/- (Three Lakhs sixteen Thousand nine hundred and fifty only). Before leaving the Branch with the stolen cash, they threatened the bank staff that they know the residence of all the staff members and will harm them if they take any action or try to follow them. Lastly they locked the Branch door from outside and left with the cash We request you to lodge a complaint in this matter and request you to do the needful Regards Mrs Savito Manager Upli Branch Mobile 8295857977.”

He, on instructions has not been able to refute that the alleged assailants at the time of alleged accident were masked and even in the CCTV



footage, which was retrieved from the vicinity of the place of occurrence, the alleged assailants were seen coming and exiting with helmet and face masks. However, learned State counsel has submitted that the recovery of cash amounting to Rs.66000/- along with country-made fire arms and un-numbered motorcycle used by the accused in the occurrence in question was made from the petitioner.

4. Learned counsel for the petitioner has, however, drawn the attention of this Court to FIR yet again and submitted that the alleged recovery of cash amount from the petitioner from which he is being linked to the occurrence in question false flat in the face as no details of the looted currency was given while lodging the FIR in question.

5. Learned State counsel, on instructions, has not disputed that the petitioner is not involved in any other criminal case under the IPC/BNS nor has he disputed that all the material witnesses stand examined.

6. I have heard learned counsel for the parties and perused the relevant material placed on record.

7. The petitioner has been in custody since 26.05.2022. All the material witnesses, including the complainant, stand examined; the trial is unlikely to conclude in the near future as eight witnesses still remain to be examined. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of regular bail to the petitioner.

6. Accordingly, the instant petition is allowed, and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

May 14, 2025
manoj

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No