



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

240

**CRM-M No.6420 of 2025
Date of decision : 27.3.2025**

Jatin**.....Petitioner****Versus****State of Haryana****.....Respondent****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Sanawar Ali, Advocate, for the petitioner

Mr. Karan Garg, AAG, Haryana

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 439 of Cr.P.C for grant of regular bail to the petitioner in case FIR No.275 dated 29.6.2024, under Sections 34 and 392 of the IPC, registered at Police Station Gannaur, District Sonipat.

2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

‘To SHO Sir, Gannaur, Sir, I request that I am Amit Son of Suresh, resident of ward no. 10 Lalhedi road ward no. 10 near Shiv Mandir, Gannaur, and I am working by rented shop Atal seva Kendra in the name of Huda online solution.today on dated 29/06/2024 at around 2:30 o'clock I was sitting at my shop and working and Arjun S/o Pradeep Kumar resident of Badi road Gannaurhad come to me to fill the form. After some delay three young Boys came to my shop. One of them said will you deposit money online in my account I said yes to online despite money.so those three boys left my shop. After some discussion out side of the my shop. All three boys entered the shop with knife in their hands. One of the



three boys pointed knife at me. Second one pointed knife on Arjun. And the third one climbed on the counter opened the cash box took away cash about 52000 Rupees by force. I chased them for a long distance they entered in the street on Foot. I could not find them. Legal action should be taken against these three boys. I have written a complaint through my friend Atul and presented it to you. Action should be taken. SD.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 3.7.2024. Learned counsel has further iterated that the petitioner is a young man aged 19 years with no criminal antecedents. Learned counsel for the petitioner has further argued that, assuming *arguendo*, the case of prosecution is taken on its own value, no active role except for conspiring has been attributed to the petitioner. Learned counsel for the petitioner has further argued that the petitioner has been falsely implicated into the FIR in question on account of his proximity with the co-accused. Thus, regular bail has been prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 25.3.2025 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 3.7.2024 whereinafter investigation was carried out and challan was presented on 21.9.2024. Total 14 prosecution witnesses have been cited and it is a common case between the rival counsel that none has been examined till date. The rival



contentions raised by learned counsel for the parties giving rise to debatable issues which shall be essentially ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence. As per custody certificate dated 25.3.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of eight months and twenty-three days and there is no other case against the petitioner.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.



(vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

27.3.2025
Ashwani

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