

228

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-42275-2024
Date of decision:-27.01.2025

NARVEER LAMBA

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Amit Kumar Jain, Advocate, for the petitioner.

Mr. Ramender Singh Chauhan, AAG, Haryana.

SANJIV BERRY, J.(ORAL)

The instant second petition has been preferred by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), for grant of regular bail in the following case :-

FIR No.	Dated	Sections	Police Station
51	19.02.2024	201, 204, 367, 148, 149, 323, 325, 379B, 506, 120-B IPC	Dharuhera, District Rewari

2. Arguments heard.
3. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case and no specific overt act is attributed to the petitioner and he is in custody since 19.02.2024. He contends that challan has already been presented after completion of investigation, which is pending trial and till date none of the



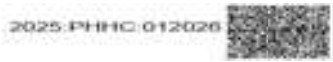
witnesses has been examined. He submits that even otherwise no recovery has been effected from the petitioner. Hence prayed for grant of bail to the petitioner.

4. *On the other hand*, learned State counsel referring to the reply submitted by the State have opposed the bail petition by arguing that the petitioner alongwith co-accused has been instrumental in snatching mobile phones from the complainant and his brother after giving them beatings, as such, considering the gravity of offence the petitioner is not entitled to concession of bail. However, he admitted that challan has been presented in Court for trial wherein prosecution has cited 14 witnesses and till date none of them have been examined.

5. After considering the rival contentions and perusing the record, it transpires that the petitioner is in custody since 19.02.2024 on the allegations that he alongwith co-accused has snatched mobile phones from the complainant and his brother on the fateful day after causing injuries to them.

6. Admittedly no specific overt act is attributed to the petitioner and even no recovery has been effected from the petitioner in this case. It is pointed out that the mobile phones in question have already been recovered from the co-accused Yashpal and Rahul and out of 14 witnesses cited by the prosecution none of them have been examined til date. The conclusion of trial to ascertain criminal liability, if any, of the petitioner in the present case will take sufficient long time.

7. In these circumstances, without commenting on the merits of the



case, it is observed that no purpose would be served by keeping petitioner behind bars. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

27.01.2025
Gyan

- | | | |
|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |