

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

**CRM-M-4400 of 2021
Date of Decision:-31.03.2021**

Virender Chahal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kuldeep Sheoran, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana
assisted by ASI Sultan Singh.

GURVINDER SINGH GILL J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.131 dated 30.6.2020, under Sections 392, 34 IPC and Section 25-54-59 of Arms Act, 1959 (Section 201 IPC was added later on), Police Station Civil Julana, District Jind.

2. The FIR in question was lodged at the instance of complainant Pawan Kumar, wherein it is alleged that on 30.6.2020 he had gone to village Julana on his Wagan R Car bearing registration No.HR-15-E-9419 for picking up his wife and that while he had parked his car near the new Bus Stand and was waiting for his wife, three unknown boys came there and asked for his mobile phone for the purpose of making a phone call. When the complainant opened the window of his car, one of the boys took out a pistol and aimed the same at temple

of the complainant and robbed him of an amount of Rs.3000/-, one ATM card of HDFC bank, one mobile phone and also took away his Wagon R car.

3. Learned counsel for the petitioner has submitted that the petitioner is nowhere named in the FIR and has falsely been nominated as an accused in the present case subsequently on the basis of alleged disclosure statement made by the petitioner himself when he was arrested in an another case i.e. in FIR No.285 dated 03.7.2020, under Section 379-A, 34 IPC and under Section 25-54-59 of Arms Act, registered at Police Station Meham.

4. Opposing the petition, learned State counsel has submitted that since the petitioner has himself admitted his guilt and is also involved in one more identical case of snatching, no case for grant of bail is made out. Learned State counsel has, however, informed that the petitioner has been behind bars since the last more than 8 months.

5. I have considered rival submissions addressed before this Court.

6. Having regard to the fact that the petitioner was neither named in the FIR and came to be nominated on the basis of the disclosure statement allegedly made by himself and also while noticing that the petitioner has been behind bars since the last more than 8 months, further detention of the petitioner will not serve any useful purpose as the conclusion of trial will take some time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

March 31, 2021
Vijay Asija

(GURVINDER SINGH GILL)
JUDGE

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