



CRM-M-10000-2025

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**231 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-10000-2025**

Date of Decision: 08.05.2025

Manish

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Nirmal Singh, Advocate, for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached this Court by way of present second petition praying for granting regular bail in case FIR No.84 dated 26.03.2024 under Section 379-B, 506, 34 IPC, registered at Police Station Sector-31, District Faridabad.

2. Succinctly, facts of the case are that the FIR in the present case was registered on the statement of complainant Jai Narayan Gupta. It was alleged that on 25.03.2024 at about 11:25 p.m., he was going from his village to his rented house, when two unknown persons stopped him and started forcibly searching him. They snatched his two mobile phones from his bag and thereafter, snatched Rs.450 from his pocket. It was alleged that he could identify the unknown persons, if they brought in front of him. Request was made to take legal action against the accused. On the registration of the FIR, the investigation commenced. During the investigation, complicity of the petitioner surfaced and thus, he was arrested on 27.03.2024 and Rs.250 out of stolen Rs.450, were recovered from him, whereas, stolen mobile phones were recovered from co-accused Balram @ Ballu. The petitioner approached the Court of learned Additional Sessions Judge, Faridabad praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the



bail application filed by the petitioner vide order dated 19.06.2024. Thereafter, the petitioner approached this Court by way of filing CRM-M-40686-2024, however, the same was dismissed by this Court vide order dated 05.12.2024. Hence, the petitioner has again approached this Court praying for grant of bail by way of filing the present second petition.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely and frivolously implicated in the present case. He submits that neither the petitioner named in the FIR nor any overt act has been attributed to him. He submits that during the investigation without there being any offence, the petitioner has been falsely implicated in the present case and recovery of Rs.250 has been planted upon him. He submits that simply recovery of Rs.250, does not connect the petitioner with the alleged offence. It is submitted that the petitioner has no criminal antecedents and he is behind bars since the date of his arrest. He submits that material witnesses including the complainant, have already been examined and thus, there is no apprehension of influencing the prosecution witnesses by the petitioner. He submits that in the overall facts and circumstances of the present case, the petitioner deserves to be granted bail.

4. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioner. He has submitted that complicity of the petitioner was established during the investigation and recovery of Indian currency of 250 was also effected from him. On instructions from ASI Amit, he submits that out of total 08 prosecution witnesses, 04 witnesses have been examined. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it



is inferred that the petitioner was arrested in this case on 27.03.2024. Alleged recovery of Rs.250 has been effected from him. As submitted before this Court, out of total 08 prosecution witnesses, 04 witnesses have been examined including the complainant. As reflected from the custody certificate, the petitioner has suffered incarceration of 01 year 01 month & 11 days as on 07.05.2025. It further reflects that the petitioner has no criminal antecedents.

6. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

08.05.2025

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Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No