



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

**CRM-M No.2717 of 2025  
Date of Decision: 25.03.2025**

**Avinash** **..... Petitioner**

**Versus**

**State of Haryana** **..... Respondent**

**CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

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Present: Mr. Abhishek Dhull, Advocate  
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

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**RAJESH BHARDWAJ, J. (ORAL)**

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.252, dated 14.03.2024 (Annexure P-1), under Sections 379-A, 34, 506 of IPC, registered at Police Station Palla, District Faridabad.

2. Succinctly the facts of the case are that FIR in the present case was registered on the statement of complainant, namely, Prince. It was alleged that on 13.03.2024 at about 10:30 p.m., when he was going to his home towards Mithapur, 02 boys came and started abusing him. Thereafter, they snatched his mobile phone and Rs.2000/- from his pocket. By extending threats to him, both of them fled away from there. The request was made to take legal action against the accused. On registration of the FIR, the investigation commenced. During the investigation, complicity of the petitioner was found and thus he was arrested on 15.03.2024. The petitioner approached the Court of learned



Additional Sessions Judge (Fast Track Court), Faridabad praying for the grant of bail. However, after hearing both the sides finding no merit in the same, the learned Additional Sessions Judge (Fast Track Court), Faridabad declined the petition filed by the petitioner vide his order dated 10.10.2024. Hence being aggrieved the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He has submitted that the petitioner was not named in the FIR. He has submitted that the recovery of Rs.600/- has been planted upon the petitioner and it is on the basis of the same, the petitioner is being prosecuted in the present case. He has submitted that the petitioner has no criminal antecedents and he is behind bars from last more than 01 year, however there is no progress in the trial. He has further stated that out of 12 prosecution witnesses, only two witnesses have been examined so far. He has thus submitted that in the facts and circumstances, the petitioner deserves to be granted bail.

4. *Per contra*, learned counsel for the State has opposed the submissions made by counsel for the petitioner. He, on instructions, has submitted that during the investigation, complicity of the petitioner was found in the present case and the recovery of Rs.600/- was made from him. He has submitted that from the co-accused, namely, Abhishek, recovery of mobile phone was made. He has produced the custody certificate of the petitioner today in the Court. However he has submitted that out of 12 prosecution witnesses, only 02 have been examined as on date.



5. Heard.

6. After hearing learned counsel for the parties and perusing the record, it is apparent that the petitioner was arrested in the present case during the investigation. As submitted before this Court, a cash of Rs.600/- was allegedly recovered from the petitioner. Custody certificate of the petitioner produced today shows that the petitioner has suffered incarceration of 01 year and 08 months as on 22.03.2025. It further reflects that the petitioner has no criminal antecedents as he has never been involved in any other case. Out of 12 prosecution witnesses, only 02 have been examined till date.

7. 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.

8. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for the grant of bail. 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. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

**(RAJESH BHARDWAJ)**  
**JUDGE**

**25.03.2025**

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Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No