

HRSO010099982024



In the Court of Subhash Chander Sroai, Addl. Sessions Judge, Sonapat.
(UID:HR0494)

C.I.S. (B.A.) No. 3214 of 2024
Date of Institution: 22.11.2024
Arguments heard on: 29.11.2024
Date of Order : 29.11.2024

Pardeep, aged 29 years son of Balwan, R/o village Lakhan Majra, District Rohtak.

...Applicant-accused

Versus

State of Haryana

...Respondent-State

FIR No.203 dated 01.07.2024
Under Sections: 309(4) and 238 Bharatiya Nyaya
Sanhita, 2023
Police Station: Sadar, Sonapat.

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Ist Regular Bail Application

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Present: Shri Sushil Kaushik, counsel for the applicant-accused.
Ms. Meena, Public Prosecutor for the respondent-
State.

ORDER:

This order shall dispose off an application for regular bail,
filed by applicant-accused Pardeep, aged 29 years son of Balwan, R/o
village Lakhan Majra, District Rohtak, in case FIR No.203 dated
01.07.2024, under Sections 309(4) and 238 Bharatiya Nyaya Sanhita,
2023, P.S. Sadar, Sonapat.

(Subhash Chander Sroai)
ASJ, Sonapat (UIR:HR0494)
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2- Notice of the bail application was given to the respondent-State. Learned Public Prosecutor for the State has put his appearance on behalf of the respondent-State. Reply filed.

3- The facts necessary to dispose of the present bail application are that the present FIR No.203 dated 01.07.2024, under Sections 309(4) and 238 Bharatiya Nyaya Sanhita, 2023, P.S. Sadar, Sonapat has been registered on the application of Manjeet son of Shri Bhagwan, resident of village Barwasni, wherein he has stated that:-

“He is resident of the above said address and working in the Electricity Department as ALM of Power House of village Bhatgaon. Today i.e. 01.07.2024 a complaint of electricity from village Ratangarh TRANSFORMER came. After that on 01-07-2024 at around 12:25 AM, he was going to Ratangarh on his motorcycle number HR-10A-B6482 make HERO HONDA SPLENDOR, when he reached between Bhatgaon and Ratangarh, he found 3-4 boys standing on the road, one motorcycle was parked there, after that those boys stopped his motorcycle and one boy caught him

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from behind and other boys started beating him and snatched his mobile phone make LAVA COMPANY from his pocket. They had also snatched his motorcycle, thereafter those boys ran away after riding on the motorcycle. Legal action be taken against unknown boys, name and addresses. ”

During investigation, on 01.08.2024 accused Vishal son of Rajpal resident Basai District Bagpat, UP and Gurmeet son of Rajendra, resident Lakhan Majra, District Rohtak were arrested and they made disclosure statements. Accused Vishal has got recovered the snatched/ robbed mobile phone. On 03.08.2024 accused Narender and Pardeep were arrested and they made their disclosure statements. Accused Narender got recovered motorcycle used in the commission of offence. On 04.09.2024 accused Sushil was arrested and he made disclosure statement. After completion of investigation, challan was prepared and filed in the court.

4- Argument heard.

5- It is argued by learned counsel for the applicant-accused that

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the applicant-accused has been falsely implicated in the present case. It is further argued that applicant-accused is not named in the FIR. It is further argued that applicant-accused is not involved in any other case. It is further argued that investigation has been completed and police has already filed the charge-sheet against the applicant-accused. It is further argued that applicant-accused is in custody since 03.08.2024 and no useful purpose would be served by keeping him behind the bar. It is further argued that co-accused Narender has been released on bail by this court, vide order dated 21.11.2024. He, thus, prayed that the present bail application be allowed.

6- Per contra, ld. Public Prosecutor for the State has strongly opposed the bail application arguing that the allegations against the applicant-accused are serious in nature. She, thus, prayed that the present bail application be dismissed.

7- I have given my thoughtful consideration to the argument advanced by both the parties and carefully gone through the file.

8- Admittedly, in the present case, no weapons of any kind has been used while giving beatings to the complainant and at the time of committing robbery. There is also nothing on record that the complainant was medically examined. Investigation has been completed and police has

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filed charge sheet against the applicant-accused. Co-accused Narender has been released on bail, vide order dated 21.11.2024. Applicant/accused is in judicial custody since 03.08.2024 and no useful purpose would be served by keeping him behind the bar.

9- So, keeping in view the facts and circumstances of the case, the present bail application stands **allowed** and the applicant/accused is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of learned Illaqa/Duty Magistrate.

10- Copy of this order be sent to the Court of learned Illaqa/Duty Magistrate for information and necessary action and copy be also sent to Superintendent of concerned Jail, with the direction to supply the same to applicant/accused free of costs.

File be consigned to record room after due compliance.

Pronounced in open Court.

Dated: 29.11.2024

(Subhash Chander Sroai),
Additional Sessions Judge,
Sonapat.UID:HR0494.

Note: This order consists of 5 pages and each page has been duly checked and signed by me.

(Subhash Chander Sroai),
Additional Sessions Judge,
Sonapat.UID:HR0494.

Parveen Kumar ,Stenographer Gr.II

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(Subhash Chander Sroai)
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Present: Shri Sushil Kaushik, counsel for the applicant-accused.
Ms. Meena, Public Prosecutor for the respondent-State.

Reply to bail application filed. The same is taken on record.

Copy thereof has been supplied.

Arguments heard.

Vide my separate order of even date, the present bail application has been **allowed**.

Copy of this order be sent to the Court of learned Illaqa/Duty Magistrate for information and necessary action and copy be also sent to Superintendent of concerned Jail, with the direction to supply the same to applicant/accused free of costs.

File be consigned to record room after due compliance.

Pronounced in open Court.
Dated: 29.11.2024

(Subhash Chander Sroai),
Additional Sessions Judge,
Sonapat. UID:HR0494.

Typed by:
Parveen Kumar, Stenographer Gr.II.

(Subhash Chander Sroai)
ASJ, Sonapat (UIR:HR0494)
29.11.2024