

IN THE COURT OF NEERJA KULWANT KALSON,
SESSIONS JUDGE, AMBALA.(UID no.HR0055)



CNR No. :HRAM01-002471-2021
CIS No. : BA-544 of 2021.
Date of Institution : 06.04.2021
Date of Decision : 19.04.2021.

Rohit son of Shri Ramesh Kumar, r/o village Barnala, District Ambala.

.....Petitioner-accused.

Versus

State of Haryana.

....Respondent-State.

FIR No.421, dated 23.10.2019
Under Section : 379-A,394,323,452 IPC.
Police Station : Ambala City, Distt.Ambala.

First Petition for regular bail under Section 439 Cr.P.C.

Argued by: Shri Balbir Singh, Advocate(legal aid counsel) for the petitioner.
Shri N.S.Bhatti, Public Prosecutor for the State assisted by
Shri Sunil Anand, Advocate for the complainant.

ORDER:

The present bail application has been filed by the petitioner under Section 439 Cr.P.C. for the grant of regular bail in the above noted case, the trial of which is pending in this court.

2. On the complaint of one Raman Kumar, the present FIR was registered. It was alleged by the complainant in his complaint that he is a he is r/o village Dhankaur, Distt.Ambala and by profession he is a lawyer, and having chamber no.70 in district courts at Ambala City. On 23.10.2019 at about 12.00 p.m. when he alongwith his friend Varun Sharma (Advocate) and clerk Gurtej Singh was sitting in his chamber, accused Rohit Kumar @ Sandeep, who is his co-villager, came in the

chamber and started abusing him. When he objected, the accused caught him from collar of his shirt and started man-handling him. When Varun(Advocate) and Gurtej(Clerk) also intervened, the accused took out/ snatched Rs.2000/- from the pocket of the complainant. After hearing noise, several other persons/advocates also gathered there and they caught the accused. Police was also informed and the accused was produced before the police and accordingly he was arrested and recovery of snatch money of Rs.2000/- was effected from his possession.

3. Notice of the bail application was issued to the State. Police report/reply has been filed.

4. I have heard learned counsel for the parties and have gone through the record of the case.

5. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated. He is in custody since 23.10.2019; no recovery is to be made from him; final report under section 173 Cr.PC has already been submitted and trial is pending in this court; trial will still take a sufficiently long time and, therefore, no useful purpose would be served by keeping the petitioner in custody any longer.

6. On the other hand, learned Public Prosecutor assisted by learned counsel for the complainant have opposed the grant of bail to the petitioner.

7. After hearing learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that the petitioner deserves to be released on bail. He is in custody for the last

about six months(since 23.10.2019). The final report under Section 173 CrPC has already been filed and after framing of charge, the case is fixed for prosecution evidence. The trial will take a sufficiently long time and, therefore, no useful purpose would be served by keeping the petitioner in custody any longer.

8. In view of the above, the present bail application is allowed. The petitioner is ordered to be released on bail in the present case on his furnishing bail bonds in the sum of ₹50,000/- with one surety in the like amount. However, nothing observed here-in-above shall be construed to be an expression of opinion on the merits of the case. Papers be attached with the main case file.

Announced in open Court.
Dated: 19.04.2021
(Shiv kumar)

(Neerja Kulwant Kalson)
Sessions Judge, Ambala.
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Present: Shri Balbir Singh, Advocate(legal aid counsel) for the petitioner.
Shri N.S.Bhatti, Public Prosecutor for the State assisted by
Shri Sunil Anand, Advocate for the complainant.

Police report/reply filed. Arguments heard. Main file also
summoned and perused. Vide a separate order of even date, the present
bail application has been allowed. Papers be attached with the main case
file.

Announced in open Court.
Dated: 19.04.2021
(Shiv kumar)

(Neerja Kulwant Kalson)
Sessions Judge, Ambala.
(UID no.HR0055)

