

HRSO010112902023



Presented on : 02-09-2023
Registered on : 02-09-2023
Decided on : 08-09-2023
Duration : 0 years, 0 months, 06 days

**IN THE COURT OF
SESSIONS JUDGE AT SONIPAT
PRESIDED OVER BY PARMOD GOYAL**

BA No. 2622 of 2023

Ranbir son of Sh. Satpal, resident of village Bega, Tehsil Ganaur, District Sonipat.

...Applicant

Versus

State of Haryana.

...Respondent

FIR No. 7 dated 04.01.2023

Under Sections 379-A, 411, 201 IPC read
with Section 34 IPC

Police Station – Sector-27, Sonipat

**2nd APPLICATION FOR GRANT OF BAIL UNDER
SECTION 439 CR.P.C**

Present: Sh. Pankaj Kumar, Advocate for applicant-accused.

Parmod Goyal
Sessions Judge, Sonipat
UID NO. HR0041
08.09.2023

Sh. Bhuvesh Malik, Asstt. Public Prosecutor for State.

ORDER:

Applicant Ranbir has sought bail under Section 439 of Code of Criminal Procedure in FIR No. 7 dated 04.01.2023 under Sections 379-A, 411, 201 IPC read with Section 34 IPC, registered with Police Station – Sector-27, Sonipat.

2. The above noted FIR was got registered on the complaint made by complainant Baljeet (PW-1). Complainant in his complaint had alleged that on 04.01.2023 he was going towards his house from bus Stand and at about 07.40 p.m. when he reached near Gandhi Chowk, Sonipat, he received a call on his mobile phone and he started talking on his phone. In the meanwhile, two boys came on motorcycle from behind and the pillion rider snatched his mobile having SIM Nos. 94164-86175 and 81688-26393 make Realme and ran towards Sector-14, Sonipat. Accordingly, complainant has sought action against the assailants.

3. Learned counsel for the applicant/accused submits that complainant has already been examined and he has not identified accused persons to be assailants as he had not seen their faces at the time of incident and specifically stated in his cross-examinations that he had seen the accused persons first time in the Court. It is asserted that all other PWs

are official witnesses. Only two out of 10 witnesses have been examined and applicant is in custody since 20.05.2023. It is asserted that no useful purpose would be served by keeping the applicant in custody as trial is likely to take time and complainant and other witness i.e. his son has not supported the case of prosecution as against any of the accused.

4. On the other hand, learned Public Prosecutor for the state opposed the bail-application and it is asserted that motorcycle used in the commission of crime has been recovered from the applicant / accused. Applicant is concerned in serious offences and if released on bail, he is likely to abscond and hamper trial. Prayer for dismissal of bail application has been made.

5. I have heard the learned counsels for the parties and has perused the police report.

6. In present case, complainant has supported the manner of occurrence, he however, has not identified any of the accused persons as assailants as he could not see their faces and there was darkness. He specifically admitted in his cross-examination that he had seen the accused persons first time in the Court.

7. In view of fact that complainant has not identified applicant and official witnesses are yet to be examined. Trial is likely to take time as only two of 10 witnesses have been examined, therefore, no useful

purpose will be served by keeping applicant in custody. Accordingly, present applicant be released on bail on furnishing personal bond in the sum of Rs. 50,000/- with two sureties in the like amount each to the satisfaction of this Court. Papers be tagged with the main case file.

Announced in open Court

Dated 08.09.2023

Chanchal Madaan

(Parmod Goyal)

Sessions Judge, Sonipat

UID No. HR0041

Ranbir Vs. state of Haryana

Present : Sh. Pankaj Kumar, Advocate for applicant-
accused
Sh. Bhuvesh Malik, Asstt. Public Prosecutor for
State.

Police report filed. Same is taken on record.

Arguments heard. Vide my separate order of even
date, present bail application has been allowed. Papers be
tagged with the main case file.

Announced in open Court

(Parmod Goyal)

Dated 08.09.2023

Sessions Judge,
Sonipat(UIDNo.HR0041)

Chanchal Madaan