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

CRM-M-18277 of 2019

Date of decision: May 23, 2019

Boota Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. K.B. Raheja, Advocate for the petitioner.

Mr. Yashwinder Singh, DAG Haryana.

Ms. Prabhjot Kaur, Advocate for the complainant.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of bail to the petitioner, in FIR No.301 dated 12.10.2018, under Sections 120-B, 406 of the Indian Penal Code, 1860, registered at Police Station Sadar Sirsa, District Sirsa.

In terms of previous order dated 16.05.2019, learned counsel for the petitioner has handed over a Demand Draft bearing No.475236 dated 21.05.2019, amounting to ₹4,35,000/- in favour of the complainant, today in Court, to learned counsel for the complainant and she undertakes to handover the same to the complainant.

Learned State counsel, on instructions from police official who is present in Court to assist him, has apprised this Court that in this case, there are total 16 prosecution witnesses and thus, the trial will take long

time to be concluded.

Concededly, petitioner is in custody since 15.01.2019 and after investigation in the matter, challan was presented on 15.03.2019 and now the case is pending for 30.05.2019, for framing of charges. Trial is likely to take long time, the petitioner has already paid an amount of ₹4,35,000/- to the complainant, therefore, further incarceration is of no use.

As a result thereof, this petition is allowed. The petitioner is ordered to be released on bail, in this case, on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

However, it is clarified that payment of ₹4,35,000/- to the complainant will not prejudice the rights of either of the parties.

The above observations may not be construed as an expression of opinion on the merits of the case.

However, it is clarified that petitioner shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

(MAHABIR SINGH SINDHU)
JUDGE

May 23, 2019
mahavir

Whether speaking/ reasoned: **Yes**

Whether Reportable: **No**