

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

112

CRM-M-25520-2021

Date of Decision: 20.09.2021

Asif Khan

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Pankaj Bali, Advocate for petitioner.

Mr. Vikrant Pamboo, DAG, Haryana.

Mr. Parveen Sharma, Advocate for the complainant.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Reply/status report dated 13.09.2021 by way of affidavit of Subhash Chander, HPS, Deputy Superintendent of Police Headquarter, Kurukshetra along with Annexures R-1 to R-6 already filed on behalf of the respondent-State is taken on record.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner- **Asif Khan** in case FIR No.393 dated 11.09.2020 under Sections 201 and 420 IPC and Section 66-D of Information and Technology Act, registered at Police Station Kurukshetra University, District Kurukshetra.

Learned counsel for petitioner *inter alia* contends that version, as alleged in the FIR, is totally concocted one and there is no iota of truth therein. He further submits that though petitioner has no nexus whatsoever with the alleged offence, but compromise has already been arrived at between the petitioner and respondent/complainant Ritu Rani and to this effect photocopy of affidavit dated 14.09.2021 of respondent/complainant-Ritu Rani has been placed on record. He further submits that petitioner is languishing in custody since 12.03.2021 and he is no more required by the Police for any investigation purpose as after completion of investigation, final report under Section 173

Cr.P.C, (*Challan*) has been presented in Court and since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

Learned counsel for the respondent-complainant has given concurrence to the cause of petitioner.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is languishing in custody since 12.03.2021; that petitioner is no more required by the Investigating Agency for investigation purpose; that challan has already been presented in Court and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Asif Khan** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/ Chief Judicial Magistrate/Duty Magistrate, Kurukshetra, as the case may be.

20.09.2021

d.gulati

(LALIT BATRA)
JUDGE

Whether speaking/ reasoned	:	Yes/ No
Whether Reportable	:	Yes/ No