

CRM-M-26456-2021

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

CRM-M-26456-2021 (O & M)

Date of decision: 06.08.2021

Sunil @ Sonu

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. S.D.Bishnoi, Advocate,
for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. A. G. Haryana.

Mr. Shiv Kumar Bishnoi, Advocate,
for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

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This is an application under Section 482 Cr.P.C. for an early hearing of the main petition i.e. CRM-M-26456-2021, fixed for hearing on 10.08.2021.

Notice in the application.

Learned State counsel and learned counsel for the complainant submit that they have no objection, if the present application is allowed.

In view of the above, the present application is allowed and the date of hearing of the main petition is preponed from 10.08.2021 to that of today and the same is taken on the Board for hearing.

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Through this third petition, the petitioner seeks regular bail in case bearing FIR No.385 dated 17.08.2020, registered at Police Station Gohana City, District Sonipat, under Section 25 of the Arms Act, 1959 and Sections 379-B, 392, 397 and 506 IPC and Sections 395, 412, 112 and 120-B IPC (added subsequently).

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that the petitioner was not named in the FIR and rather has been indicted on the basis of a disclosure statement of co-accused; that he has been in custody since 05.09.2020; that no role has been attributed to him, and that he is to appear in the exams for the post of Constable in the Haryana Police, scheduled to be held on 07.08.2021. Moreover, the matter has been compromised between the petitioner and the complainant.

On the other hand, learned State counsel submits that in view of the serious allegations levelled against the petitioner, he does not deserve the concession of bail.

Learned counsel for the complainant submits that the complainant has received the amount and he does not dispute the factum of the compromise.

I have heard the learned counsel for the parties.

The petitioner has been indicted on the basis of the disclosure statement of the co-accused, as noticed above. The petitioner has been in custody since 05.09.2020. Trial is unlikely to conclude any time soon, especially due to Covid-19. Moreover, the matter has been compromised

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between the petitioner and the complainant. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

06.08.2021

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No