

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

CRM-M-28736-2021(O&M)

Date of decision: 09.09.2021

Tarun @ Chhotu

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Chanderhas Yadav, Advocate for the petitioner.

Mr. Pardeep Parkash Chahar, DAG, Haryana.

Mr. Anshul Baghla, Advocate for respondent No. 2.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The status report by way of affidavit dated 06.09.2021 of the Additional Superintendent of Police, Beri, District Jhajjar, already filed in the Registry is taken on record.

This is the second petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 115 dated 29.6.2020 under Sections 307, 379-B, 392, 398, 34 IPC and Section 25 of the Arms Act, registered at Police Station Dujana, District Jhajjar.

Learned counsel for the petitioner submits that the petitioner has been falsely involved in the present case; that no recovery has been effected from him, rather the purse in question was with co-accused Chain Singh; that neither the motor cycle belongs to the petitioner nor the injury under Section 307 IPC has been attributed to him; that so far as FIR No. 76 dated

12.3.2020, under Section 379-B IPC and Section 25 of the Arms Act, is concerned, the name of the petitioner was added subsequently in the said case. The petitioner has been in custody since 30.06.2020. The petitioner is on bail in other cases.

He further submits that the earlier bail petition filed by the petitioner was dismissed as withdrawn vide order dated 23.04.2021 passed by this Court, and thereafter, a compromise has been effected between the parties on 17.06.2021.

Learned State counsel opposed the prayer for bail. He, however, does not dispute the custody period of the petitioner and that the compromise has been effected between the petitioner and Dilbag Singh-respondent No. 2.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 30.06.2020. The petitioner is on bail in other case and the matter has been compromise between the petitioner and Dilbag Singh-respondent No. 2. Thus, 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 petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

09.09.2021

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No