

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(222)

CRM-M-35628-2021

Date of Decision : September 03, 2021

Harpinder Singh

.. Petitioner

Versus

State of Haryana

.. Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Kawalpreet Singh Virk, Advocate, for the petitioner.

Mr. Karan Garg, Assistant Advocate General, Haryana.
(keeping in view the advance copy given).

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.201 dated 04.12.2020 registered under Section 379-A of the Indian Penal Code, 1860 at Police Station Guhla, District Kaithal.

Learned counsel for the petitioner argues that the the petitioner has been falsely implicated in the present case and further that the complainant has already been examined and keeping the petitioner behind the bars during the trial will serve no useful purpose as the trial is likely to take some time before it cocludes.

Notice of motion.

Mr. Karan Garg, learned Assistant Advocate General, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the

respondent-State.

On the instructions from ASI Ram Niwas, learned counsel for the respondent-State submits that the phone belonging to the complainant was recovered from the petitioner but concedes that the complainant and other witnesses have already been examined though, some more witnesses are yet to be examined by the prosecution.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Once, the complainant has been examined and the allegations alleged in the FIR are yet to be proved, no useful purpose will be served in keeping the petitioner behind the bars any further especially when the petitioner has undertaken before this Court that he will not influence the trial or the witnesses in any manner and will maintain good conduct, if granted bail.

Keeping in view the above, the petitioner has made out a case for the grant of regular bail.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence trial in any manner including influencing the witnesses and in case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

September 03, 2021

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No