

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

212

**CRM-M-36426-2021
Date of Decision : 08.09.2021**

Ravi

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present : Mr. Ram Karan Agnihotri, Advocate
for the petitioner.

Mr. Karan Garg, Asstt. A.G., Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

The present petition has been filed under Section 439 of the Cr.P.C. seeking concession of regular bail in case FIR No.217 dated 06.06.2021 registered under Section 379-B of the Indian Penal Code, 1860 at Police Station Kurukshetra University, District Kurukshetra.

Learned counsel for the petitioner submits that the allegations alleged against the petitioner in the FIR are incorrect which can also be proven from the fact that the complainant Bittu Rana has already given affidavit on 19.07.2021 that the petitioner was not involved in any incident of snatching money whereas the actual person, who has snatched the money, was Shunty, who is the co-accused. Learned Counsel of the petitioner further submits that the investigation is over and the challan has already been submitted and therefore, keeping the petitioner behind the bar will serve no useful purpose.

Learned State Counsel concedes that the challan has been submitted but submits that the affidavit dated 19.07.2021 stated to have been given by the complainant is not in the knowledge of the police.

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

Once, the challan has already been submitted and according to the petitioner, the complainant has already given an affidavit clearing him of the charges, and the trial is likely to take some

time before it concludes, no useful purpose will be served by keeping the petitioner behind the bars, especially when learned counsel for the petitioner undertakes that in case petitioner is extended the concession of bail, he will not influence trial or the witnesses in any manner.

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.

In case any cogent evidence found against the petitioner violating the undertaking recorded herein before, 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 08, 2021
Kothiwal

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned	Yes/No
<i>Whether reportable</i>	<i>Yes/No</i>