

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

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CRM-M No.34685 of 2020(O&M)

Date of Decision: 23.03.2021

Jitender

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Rahul Makkar, Advocate for petitioner.

Mr. Vikrant Pamboo, Deputy A.G. Haryana.

Lalit Batra, J.(Oral)

Reply dated 28.11.2020 by way of affidavit of Vinod Kumar, HPS, Deputy Superintendent of Police, Rohtak 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- Jitender in case FIR No.322 dated 28.08.2019 under Sections 148, 324, 379-B and 506 IPC read with Section 149 IPC, registered at Police Station Kalanaur, District Rohtak.

Learned counsel for the 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 allegedly co-accused Manish inflicted iron rod blow on head of Mukesh and thereafter, mobile phone make Samsung and wallet containing currency notes of Rs.10,700/- were snatched from him. He further urges that petitioner is in custody since 02.09.2019 and after completion of investigation, final report under Section 173 Cr.P.C. (*Challan*) has already been presented in Court. He further urges that 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.

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 in custody since 02.09.2019; that petitioner is no more required by the Investigating Agency for investigation purpose; that challan has already been presented in Court and since consequent 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- Jitender 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, Rohtak, as the case may be.

(LALIT BATRA)
JUDGE

23.03.2021
D.Gulati

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