

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

104

**CRM-M-49133-2021(O&M)
Date of Decision: 16.12.2021**

Arjun

....Petitioner

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Namit Khurana, Advocate for the petitioner.

Mr. Vikrant Pamboo, Deputy Advocate General, Haryana.

Lalit Batra, J.(Oral)

CRM-40772-2021

This application under Section 482 Cr.P.C. has been moved by applicant/petitioner for placing on record affidavit of complainant and order dated 17.11.2021 (Annexures P-2 and P-3).

Affidavit of complainant and order dated 17.11.2021 (Annexures P-2 and P-3) are taken on record, subject to all just exceptions.

CRM is allowed.

Main Case

Present petition under Section 439 Cr.P.C has been moved by petitioner – **Arjun** for grant of regular bail in case FIR No.326 dated 20.08.2021 under Sections 148, 201, 323, 379-B and 506 IPC read with Section 149 IPC, registered at Police Station Jagadhri City, District Yamuna Nagar.

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 though petitioner has no nexus

whatsoever with the alleged offence and even otherwise, complainant/injured-Anmol has entered into compromise with petitioner, vide his affidavit dated 24.09.2021 (Annexure P/2). He further submits that co-accused namely Harinder Singh @ Shobhan, Sankalp Kumar and Devwarat Kumar @ Vishal have already been granted bail by this Court, vide orders dated 17.11.2021 and 02.12.2021 passed in CRM-M-44873-2021 and CRM-M-50629-2021 respectively. He further submits that petitioner is languishing in custody since 21.08.2021 and he is no more required by the Police for any investigation purpose as after completion of investigation, final report as envisaged under Section 173 Cr.P.C. (*Challan*) has already been presented in Court on 10.10.2021. 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 languishing in custody since 21.08.2021; that petitioner is no more required by the Investigating Agency for investigation purpose; that co-accused namely Harinder Singh @ Shobhan, Sankalp Kumar and Devwarat Kumar @ Vishal have already been granted bail by this Court, vide orders dated 17.11.2021 and 02.12.2021 passed in CRM-M-44873-2021 and CRM-M-50629-2021

respectively; that *Challan* has already been presented in Court and since 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- **Arjun** 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, Yamuna Nagar, as the case may be.

(LALIT BATRA)
JUDGE

16.12.2021

d.gulati

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No