

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(216)

CRM-M-5495-2022

Date of Decision : February 28, 2022

Ajay Rana

.. Petitioner

Versus

State of Haryana

.. Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vikas Bishnoi Godara, 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.513 dated 12.08.2020 registered under Section 394 of the IPC, 1860 at Police Station City Hisar, Hisar.

Learned counsel for the petitioner submits that in the present case, the charges have already been framed and the trial is likely to take some time before it concludes and as the complainant has already compromised with the petitioner in the said FIR, which fact is clear from the affidavit of the complainant, attached with the present petition as Annexure P-2, the petitioner may kindly be extended the benefit of regular bail as the petitioner undertakes before this Court not to influence the trial or the witnesses in any manner.

Notice of motion.

Mr. Karan Garg, learned Assistant Advocate General, Haryana, who is present in the Court, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned counsel for the respondent-State submits that the mobile phone of the complainant was recovered from the petitioner and therefore, the prayer of the petitioner for the grant of regular bail may kindly be declined though learned counsel for the respondent-State concedes that the investigation is already over and the charges have also been framed.

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

Keeping in view the fact that the Courts are working in a restricted manner due to the pandemic of Covid-19 and the trial is likely to take some time before it concludes, no useful purpose will be achieved in keeping the petitioner behind the bars during the entire period of trial especially when not only the petitioner has undertaken before this Court not to influence the trial or the witnesses in any manner especially when the complainant has amicably settled the issue with the petitioner, which eliminates the apprehension of the witnesses being influenced.

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.

February 28, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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