

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

223

CRM-M-29040-2021 (O&M)

Date of Decision: 26.04.2022

ROBIN

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Jasbir Mor, Advocate
for the petitioner.

Mr. Surender Singh, AAG Haryana.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.0344 dated 29.04.2021, registered under Sections 109, 115, 116 IPC; Section 109 IPC (deleted) and Section 120-B IPC (added later on), at Police Station Kharkhoda, District Sonipat.

Learned counsel for the petitioner submits that the petitioner has nothing to do with the alleged occurrence; that the allegation against the petitioner is that he was sitting in a pick up van that was (to be) used in the commission of the crime; that the marriage of Seema with Pardeep was solemnized on 06.12.2020 and that, on the basis of a secret information that Pardeep was going to kill his wife-Seema, a raid was conducted and the petitioner along with other accused persons were arrested and life of Seema was saved. He further submits that there is no litigation, of any kind, between Seema and her husband and both of them are happily residing together. Still further, it is submitted that, in compliance of the order dated 07.12.2021, passed by a Coordinate Bench of this Court in

CRM-M-31656-2021, Seema appeared before the learned Magistrate on 21.12.2021 and had got recorded her statement with regard to the compromise dated 18.11.2021 effected between her and her husband and that the petitioner has been in custody since 29.04.2021.

Pre contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel, does not dispute the custody period of the petitioner. He, however, submits that the petitioner in connivance with the co-accused hatched a conspiracy to eliminate Seema, who was travelling on a Scooty on the day of occurrence and that the pick-up van in which the petitioner was sitting was to be used in the crime.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 29.04.2021. A compromise has already been effected between Seema and her husband and they are residing happily together as husband and wife. Seema has also got recorded her statement with regard to the compromise before the learned Magistrate. The trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of both the sides, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

26.04.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned

: *Yes/No*

Whether reportable

: *Yes/No*