

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

CRM-M-29217-2022
Date of Decision:-15.07.2022

BALJEET

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Suneel Ranga, Advocate
for the petitioner.

KARAMJIT SINGH, J. (Oral)

The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.162 dated 15.3.2022 registered under Sections 323, 342, 365, 397, 506, 34 IPC and Section 25 of Arms Act (Section 324 IPC and Sections 25(1-B) and 27 of Arms Act were added later on) at Police Station Old Industrial District Panipat.

As per the allegations appearing on the record, complainant-Balwan Singh was abducted by the petitioner and his companions, who gave beatings to Balwan Singh and forcibly took him in their vehicle and also taken away ₹10,000/- belonging to him and the complainant after escaping from the clutches of the accused persons, reported the matter to the police.

The counsel for the petitioner contends that the petitioner, who was named in the FIR is in custody since 15.3.2022. The counsel further contends that after completion of investigation, the police has presented challan and that accused Ashok Kumar @ Shoki, Vikram @ Khan and Sunder are already granted regular bail while co-accused Gaurav @ Gippy has been granted concession of interim bail by this Court vide separate orders. The counsel for the petitioner further contends that now the matter has been compromised with the complainant, who has given affidavit Annexure P-2 in favour of the petitioner. The counsel for the petitioner also submits that similarly situated co-accused Jagmal, Vikram @ Khan have already been granted concession of regular bail by this Court. The counsel for the petitioner further made prayer that petitioner be also released on regular bail.

Notice of motion.

Mr. Virender Kumar, Advocate has put in appearance on behalf of the complainant and filed power of attorney, which is taken on record.

On the asking of the Court, Mr. Gaurav Bansal, AAG, Haryana accepts notice on behalf of State of Haryana and contested the present petition. The State counsel submitted that the petitioner is facing serious charges and was named in the FIR and that trial is yet to commence. However, the State counsel on instruction from ASI Bansi Lal has not disputed the fact regarding grant of bail to the three of co-accused persons and interim bail to the co-accused Jagmal, Vikram @ Khan.

I have considered the submissions made by counsel for the parties.

Undoubtedly the challan has been presented but it will take time for trial to conclude. This Court is of the view that no fruitful purpose is going to be served by keeping the petitioner behind the bars as the complainant has already entered into compromise with him and with some other co-accused as is clear from Annexure P-2.

Keeping in view facts & circumstances mentioned above and without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

15.07.2022
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No