

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

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CRM-M-39145-2022 (O&M)

Date of Decision: 10.11.2022

KRISHAN KUMAR

...Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. GC Shahpuri, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG Haryana.

Ms. Meenakshi Bali, Advocate
for the complainant.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.375 dated 20.08.2022, registered under Section 379-B IPC, Police Station Yamuna Nagar, Sadar District Yamuna Nagar.

Status report by way of an affidavit dated 18.10.2022 of the Deputy Superintendent of Police, Yamuna Nagar, filed on behalf of the respondent-State, in the Registry, is taken on record.

Learned counsel for the petitioner submits that that petitioner has falsely been involved in the present case; that has not committed any offence, as alleged by the complainant; that the petitioner has been in custody since 20.08.2022 and that the complainant as well as the person sitting in the truck at the time of the alleged occurrence, have given affidavits stating therein that the petitioner is an innocent and has not

committed any offence and it was due to misunderstanding he has been roped in the present case and that the matter has now been compromised between the parties. He further submits that there is no other case registered and/or pending against the petitioner.

Learned counsel for the complainant does not dispute the factum that it was due to misunderstanding the petitioner has been indicted in the present case and that the complainant has given an affidavit supporting the petitioner's version.

Per 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 had actively participated in the occurrence, inasmuch as, he along with the co-accused had snatched Rs.4,000/- from the complainant and that the petitioner was caught at the spot by the passersby.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 20.08.2022. There is no other case registered and/or pending against the petitioner. The compromise has already been effected between the parties and the complainant has given an affidavit qua the same. Prosecution evidence is yet to conclude. In such circumstances, 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 either side, 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

10.11.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No