

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

**253**

**CRM-M-53970-2022 (O&M)**

**Date of Decision: 29.11.2022**

MANI @ OM CHAND

...Petitioner

Versus

U.T. CHANDIGARH

... Respondent

**CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present: Mr. Pawan K. Sharma, Advocate for the petitioner.

Mr. Yashwant Singh Rathore, with  
Ms. Sudha Singh, Advocate and  
Mr. Yuvraj Singh Rathore, Advocate for the respondent.

\*\*\*\*

**HARNARESH SINGH GILL, J.(Oral)**

Through this third petition, the petitioner seeks regular bail in case bearing FIR No.79 dated 17.06.2022, registered under Sections 147, 148, 149 and 379-A IPC and Section 25 of the Arms Act, at Police Station Mauli Jagran, Chandigarh (charge-sheeted under Sections 397, 506 and 411 IPC and Section 25 of the Arms Act).

Learned counsel for the petitioner submits that the petitioner has falsely been involved in the present case; that now a compromise dated 10.10.2022 has been effected between the parties; that the complainant, while appearing as PW-1 before the learned trial Court on 21.10.2022, has been declared hostile, who has specifically stated that the petitioner came on the spot just to help him, when 10-11 boys had confronted him; that the petitioner had neither snatched anything from the complainant nor was he armed with any weapon and that the petitioner has been in custody since 17.06.2022.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel, on the instructions from, ASI Rajesh, does not dispute the custody period of the petitioner and the fact that the complainant has not supported the prosecution version as far as the role of the petitioner is concerned. He, however, submits that there are specific allegations against the petitioner and that the petitioner along with other co-accused, while armed with deadly weapon, had snatched silver chain and caused injuries to the complainant. He further submits that prosecution evidence is yet to conclude.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 17.06.2022. The complainant, while appearing as PW-1 before the learned trial Court has turned hostile. As per the learned counsel for the petitioner, the petitioner had neither snatched anything from the complainant nor caused injuries to him. 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.

**29.11.2022**

Aman Jain

**(HARNARESH SINGH GILL)**

**JUDGE**

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