

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

223

CRM-M-24068-2023 (O&M)

Date of decision: 19.07.2023

UMED KUMAR

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. R.K. Gupta, Advocate for the petitioner.

Mr. Rupinder Singh Jhand, Addl. AG Haryana.

Mr. Stephan Masih, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed this 2nd petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.118 dated 06.03.2022, registered under Sections 406, 420, 467, 468, 471, 34 IPC at Police Station Pinjore, District Panchkula.

Status report by way of affidavit dated 06.07.2023 of the Assistant Commissioner of Police, Kalka, submitted by the learned State counsel in the Court, is taken on record

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that two co-accused are already on bail; that the matter has been compromised between the parties on 25.04.2023 and the wife of the petitioner has represented him during the compromise proceedings; that out of Rs.4 lakh, Rs.72,000/- has already been paid and the remaining amount is being continuously paid to complainant, therefore, no useful purpose would be served by keeping the petitioner behind the bars and that the petitioner has been in custody since 08.03.2022.

Learned counsel for the complainant does not dispute the aforesaid factual position.

Learned State counsel, while vehemently opposing the prayer for bail, submits that there are serious allegations against the petitioner, therefore he does not deserve the concession of bail. He has no knowledge about the compromise executed between the parties. However, he does not dispute the custody period of the petitioner. He submits that out of 18 prosecution witnesses, 04 have been examined and some material witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 08.03.2022. The matter has been compromised between the parties. Out of total Rs.4 lakh, Rs.72,000/- has already been paid and the remaining amount is being continuously paid to the complainant. Remaining 14 prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would take time. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

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

(HARNARESH SINGH GILL)
JUDGE

19.07.2023
Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No