

CRM-M-32474-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-32474-2023

Date of decision: 07.08.2023

Sagar

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Sandeep Singh, Advocate,
for the petitioner.

Mr. Vishal Malik, DAG, Haryana.

Mr. Sachin Balda, Advocate,
for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

1. Through this petition, the petitioner seeks regular bail in case bearing FIR No.245 dated 21.05.2023, registered under Sections 392 and 341 IPC, at Police Station Sadar, Yamuna Nagar.

2. Reply dated 03.08.2023 by way of affidavit of the Deputy Superintendent of Police, Headquarters, Yamuna Nagar, filed in the Court today, is taken on record.

3. Learned counsel for the petitioner contends that the petitioner was working as a recovery agent with Ridhi Sidhi Associates; that motorcycle in question was mortgaged and its installments were due towards the complainant, and that the petitioner being a recovery agent, has falsely been implicated in the present case. It is further submitted that the petitioner has been in custody since 22.05.2023, and that a compromise has been effected between the parties. So far as other cases registered against

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the petitioner, are concerned, he has been released on bail therein.

4. On the other hand, learned State counsel opposes the grant of bail to the petitioner. He also submits that Sections 392 and 341 IPC stand deleted whereas Section 379-B IPC stands added to the present case. It is further submitted that challan stands presented and that prosecution witnesses are yet to be examined. It is further submitted that the petitioner is a habitual offender and he has as many as three other cases registered or pending against him.

5. However, learned counsel for the complainant does not dispute the factum of compromise effected between the parties.

6. I have heard the learned counsel for the parties.

7. The petitioner was working as a recovery agent with Ridhi Sidhi Associates. He has been in custody 22.05.2023. The matter has been compromised between the parties. The prosecution witnesses are yet to be examined. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars. As stated above, the petitioner stands bailed out in other cases registered against him.

8. In view of the above, without commenting anything on the merits, 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 and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

07.08.2023

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No