

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

CRM-M-36443-2023

Decided on:-11.08.2023

Ajay @ Manda

....Petitioner..

vs.

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Vikas Bishnoi, Advocate for the petitioner.

Mr. Rajbir Singh Malik, AAG, Haryana.

HARKESH MANUJA J.

1. By way of second petition filed under Section 439 of the Code of Criminal Procedure, 1973, prayer has been made for grant of regular bail in case FIR No.36 dated 03.10.2021, under Sections 323, 379-B, 506 and 34 IPC, registered at Police Station GRP Sirsa, District Sirsa.

2. The allegations levelled against the petitioner are that he along with his co-accused stopped the motorcycle of the complainant and caused injuries to him with their respective weapons, besides it, they also took out Rs.20,000/- from his pocket.

3. Learned counsel for the petitioner submits that the petitioner is in custody for the last more than 1 year and 18 days now, the investigation in the present case already stands concluded with the filing of challan, followed by framing of charges and during trial, the complainant has already been examined. He further submits that in other case, wherein, the petitioner was implicated under Section 302 IPC besides other offences, he has already

been granted the concession of regular bail by this Court vide order dated

09.08.2023 passed in CRM-M-36124-2023. Moreover, petitioner is ready to deposit a sum of Rs.20,000/- towards interim compensation to be paid to the complainant.

4. On the other hand learned State counsel opposes the prayer made on behalf of the petitioner while submitting that there are serious allegations against the petitioner.

5. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.

6. Considering the fact that the petitioner is behind the bars for the last 1 year & 18 days now, the investigation in the present case already stands concluded with the filing of challan, followed by framing of charges and complainant has already been examined, I do not find any reason to extend the incarceration of the petitioner any further.

7. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate. The aforesaid amount of Rs.20,000/- as voluntarily offered by the petitioner, shall be deposited by him at the time of his furnishing bonds before the trial court/Duty Magistrate and the same be disbursed in favour of complainant after due verification and identification.

11.08.2023
sonika

(HARKESH MANUJA)
JUDGE

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