

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

CRM-M-56458-2022
Date of Decision:-**16.01.2023**

MANZOOR AHMED GANI

... Petitioner

Versus

STATE OF HARYANA

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Vikram Chaudhari, Senior Advocate with
Ms. Hargun Sandhu, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

-.-

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of regular bail in case having FIR No.329 dated 22.5.2022 registered under Sections 120-B, 406, 420, 467, 468, 471, 506 IPC at Police Station City Gharaunda, District Karnal.

The counsel for the petitioner *inter alia* contended that the petitioner has been falsely implicated in this case and is in custody 12.06.2022 and after completion of investigation challan has been presented and trial is yet to be commence and further submits that matter has been compromised between the parties and the compromise deed is Annexure P-5. So prayer is made that the petitioner be granted regular bail.

The instant petition is contested by the State counsel, who on instructions from ASI Naveen Kumar has not disputed the fact that petitioner

is incarcerated for last more than 7 months and 3 days and challan has been presented but till date no PW has been examined.

Ms. Neeru Bansal, Advocate puts in appearance on behalf of complainant and has filed power of attorney, which is ordered to be taken on record. The counsel appearing on behalf of the complainant has admitted the genuineness of compromise (Annexure P-5) and submits that complainant is having no objection if the present petition is allowed.

I have considered the submissions made by counsel for the parties.

All the offences are triable by Judicial Magistrate Ist Class and the petitioner was not named in the FIR and was nominated as an accused on the basis of disclosure made by one Parvesh Kumari. As per the custody of the petitioner, custody comes out to be more than 7 months and 3 days and the trial is not progressing ahead and further there appears to be compromise between the parties, which is Annexure P-5.

In view of the above, as it will take time for the trial to conclude, so no purpose is going to be served by keeping the accused behind the bars for any longer period. Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

16.01.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?
Whether reportable?

Yes / No
Yes / No