

CRM-M No.60510 of 2023

. 2023:PHHC:156702

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

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CRM-M No.60510 of 2023

Date of Decision: 07.12.2023

ANWAR**.....Petitioner****Vs****STATE OF HARYANA AND ANOTHERRespondents****CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Mr. Mazlish Khan, Advocate
for the petitioner.

Mr. Krishan K. Chahal, Addl. A.G., Haryana.

HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case bearing FIR No.314 dated 17.08.2023 registered under Sections 427/34, 201 and 392 IPC at Police Station Bilaspur, District Gurugram.
2. Learned counsel for the petitioner submits that the petitioner was implicated on the basis of secret information having allegedly snatched a sum of Rs.22,000/- along with other documents from driver of vehicle bearing Regn. No.RJ-32-GD-1209.
3. The prayer made on behalf of the petitioner has been opposed at the instance of learned State counsel while submitting that the petitioner is habitual offender with two more cases of similar nature pending against him.
4. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made by learned counsel for the petitioner.

5. In the present case, the investigation has already been concluded with filing of challan and the petitioner has already suffered incarceration for a period of more than 3½ months as of now. Petitioner was implicated on the basis of secret information which is yet to be proved on record during trial. Moreover, the petitioner volunteers to compensate the complainant as an interim measure for a non-refundable sum of Rs.15,000/- without prejudice to his rights in the trial.

6. Considering the fact that the petitioner has already suffered incarceration for a period of more than 3½ months, I do not find any justification to extend the incarceration of the petitioner.

7. Accordingly, without expressing any opinion on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate and deposit of non-refundable sum of Rs.15,000/- without prejudice to his rights during trial, with the Trial Court at the time of his release, which shall be released in favour of the complainant upon due verification.

December 07, 2023
Atik

(HARKESH MANUJA)
JUDGE

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