

CRM-M-60971-2023

Date of Decision: 08.12.2023

Ayush alias Ashu

...Petitioner

vs.

State of Haryana and another

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Tribhuwan Singla, Advocate and
Mr. Vijay Kumar, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

Mr. Ram Karan Khera, Advocate
for respondent No.2.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.345 dated 12.10.2023 registered under Sections 379-B of IPC, at Police Station Chhappar, District Yamuna Nagar.

2. In the present case, the FIR was got registered by Sushil Kumar son of Jagannath. As per the complainant, at about 8.00 p.m. on 11.10.2023, he was going to his village Khera Kalan from Police Station Chhappar and on the way, 4 to 5 boys surrounded him and without any reason, they started beating him. They also snatched a sum of Rs. 3,000/- from him. The petitioner raised a noise to save himself and several inhabitants of the village came at the spot. On seeing the villagers, the accused fled away from the spot and however, two

boys were caught and one of them, disclosed his name and address as Ayush alias Ashu son of Tarlochan Singh, resident of Village Fatehpur and other boy told his name and address as Parvinder Singh, son of Narinder Singh, resident of Village Saran. With these main allegations, the FIR in the present case has been registered against the petitioner and the others.

3. Learned counsel for the petitioner contends that the petitioner is a young boy, aged about 18 years and has no criminal antecedents. The petitioner was arrested in the present case on 12.10.2023 and the investigation is almost complete against him. Even, no recovery has been effected from the present petitioner. Apart from that, the matter has been amicably resolved between the parties and further custody of the petitioner will not serve any meaningful purpose.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner along with one more boy were caught at the spot and they had snatched an amount of Rs. 3,000/- from the complainant. However, learned counsel for the complainant submits that the matter has been amicably resolved between the parties and he has no objection, in case the present petition is ordered to be allowed by this Court.

5. I have heard the learned counsel for the parties and perused the record.

6. The petitioner, who is a young boy aged about 18 years and is a first offender and is in custody since 12.10.2023. Even otherwise, it seems to be a case of minor scuffle between the villagers and has been resolved between the parties. Consequently, no purpose would be served by keeping the

petitioner behind bars.

7. Without commenting 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 bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

08.12.2023
hemlata

(N.S.SHEKHAWAT)
JUDGE

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