

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-62886-2023
Date of decision : 19.12.2023

ANSHU @ KRISH

....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

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

Mr. Viney Phogat, DAG, 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.618 dated 14.10.2023 registered under Section 379-A of IPC (Sections 120-B and 411 of IPC were added later on) at Police Station Mahesh Nagar, District Ambala.

2. Learned counsel for the petitioner submits that the petitioner was implicated for having snatched mobile phone from the hands of the complainant. He further submits that petitioner is not involved in any other case.

3. The prayer made on behalf of the petitioner has been opposed by learned State counsel while submitting that such kind of offences are increasing day by day in the society and the custody of the

petitioner is too short as that of 02 months and 01 day only and thus, the petitioner does not deserve the concession of regular bail.

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 none of the prosecution witnesses have been examined as yet. Moreover, the petitioner volunteers to compensate the complainant as a non-refundable measure for a sum of Rs.20,000/- without prejudice to his right in the trial.

6. Considering the fact that the petitioner has already suffered incarceration for a period of more than 2 months and he is stated to be not involved in any other case, 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 Rs.20,000/- with the Trial Court at the time of his release, which shall be released in favour of the complainant upon due verification.

(HARKESH MANUJA)
JUDGE

19.12.2023

monika

Whether speaking/reasoned ? Yes/No

Whether Reportable ? Yes/No