

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

**CRM-M No. 2966 of 2024 (O&M)
Date of Decision: 25.01.2024**

Raj Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Rohit Mittal, Advocate
for the petitioner.

Mr. Rajiv Sidhu, Deputy Advocate General, Haryana

HARKESH MANUJA, J. (ORAL)

The petitioner, by way of present petition filed under Section 439 Cr.P.C., seeks grant of regular bail pending trial in case bearing FIR No. 368, dated 21.05.2023, under Sections 379, 420 & 34 of IPC, registered at Police Station City Narnaul, District Mahendergarh, wherein the petitioner has been implicated with the allegations of having snatched away a sum of Rs. 27,000/- from the complainant with the aid of his other accomplices.

[2] Learned counsel for the petitioner submits that the petitioner is ready to compensate the complainant for a sum of Rs. 50,000/- without prejudice his rights in the trial.

[3] On the other hand, learned State Counsel vehemently opposes the prayer for grant of regular bail of the petitioner while

submitting that the petitioner is involved in four more criminal cases, besides his custody period is too less.

[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 petitioner is in custody since 05.08.2023 and investigation already stands concluded with the filing of challan followed by framing of charges and the trial may take some time. Besides it, a perusal of the zimni orders passed by the trial Court and produced before this Court, show that the complainant is not appearing in the witness-box for the past five occasions and the trial is being delayed for no reasons attributable to the petitioner. Moreover, the petitioner has also volunteered to compensate the complainant for non-refundable sum of Rs. 50,000/-.

[6] Considering the totality of the circumstances and the fact that the petitioner is behind the bars for the last more than five months as also the trial may take long time, this Court does not deem it proper to extend the incarceration of the petitioner.

[7] In view of the above, but without commenting upon merits of the present petition, the same is allowed. The petitioner is ordered to be released on bail subject to his furnishing adequate bail bonds / surety bonds to the satisfaction of the Trial Court/Illaq Magistrate/Duty Magistrate concerned, subject to compensation to the complainant for a

sum of Rs.50,000/- as volunteered by him, which would be non-refundable and without prejudice to his rights in the trial and shall be deposited at the time of furnishing of his bail bonds / surety bonds, which shall be released in favour of complainant on proper verification

[8] However, in case the petitioner indulges himself in similar kind of activity, the prosecution shall be at liberty to seek cancellation of the bail granted in favour of the petitioner in the present case.

January 25, 2024
'dk kamra'

(HARKESH MANUJA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No