

227 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-8150-2024

Decided on:-20.02.2024

Satender @ Satvinder @ Manav

....Petitioner..

vs.

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Abhinav Kalia, Advocate for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, prayer has been made for grant of regular bail pending trial, in case bearing FIR No.995, dated 17.06.2023, registered under Sections 324, 379-B, 34 IPC (Section 201 IPC and Section 25 of the Arms Act, 1959 added later on), at Police Station Civil Lines, Karnal, District Karnal.

2. In the present case, petitioner has been implicated with the allegations of having snatched mobile phone from the complainant, besides inflicting two injuries upon his person i.e. on the chest as well as right arm.

3. Learned counsel for the petitioner on instructions submits that in order to show his *bona fide*, the petitioner is even ready to compensate the complainant by way of depositing a non-refundable amount of Rs.10,000/- with the Trial Court without prejudice to his rights in the trial.

4. On the other hand, prayer made herein has been opposed at the instance of learned State counsel while submitting that besides snatching the

mobile phone, petitioner also gave two knife blows on the complainant.

5. I have heard learned counsel for the parties and gone through the paper book and find substance in the submissions made on behalf of the petitioner.

6. The investigation in the present case already stands concluded with the filing of challan, followed by framing of charges and the petitioner is behind the bars for the last almost 08 months, who is a young boy of 20 years of age with no criminal antecedents. Even the complainant, who appeared before the Trial Court as PW-1, has turned hostile and has even failed to identify the petitioner as the person who committed the offence.

In view of the aforesaid, since the complainant has not identify the petitioner and trial is likely to take some time, I do not find any reason to extend the incarceration of the petitioner any further.

7. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate. The aforesaid amount of Rs.10,000/-, which is non-refundable as volunteered by learned counsel for the petitioner shall be deposited by the petitioner at the time of submissions of his bail bonds before the Trial Court/Duty Magistrate, which shall be released to the complainant upon verification.

8. It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

20.02.2024
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(HARKESH MANUJA)
JUDGE

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