

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9426-2024

Date of Decision: February 27, 2024

VIJAYPetitioner
Versus
STATE OF HARYANARespondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Rajinder Pratap Singh Jammu, Advocate
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition filed under Section 439 CrPC, prayer has been made for grant of regular bail in case FIR No. 546 dated 26.09.2023 registered under Sections 392, 120-B, 379-B and 450 of IPC at Police Station Rania, District Sirsa wherein, petitioner has been implicated with the allegations of having broken into the house of the complainant and having snatched her earrings.
2. The prayer made herein has been opposed at the instance of learned State counsel while submitting that the petitioner was specifically named in the FIR and considering his custody period which is merely 4 months by now, he does not deserve the concession of bail.
3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.

4. In the present case, the investigation already stands concluded with the filing of challan followed by framing of charges on 08.01.2024, besides, the petitioner not being involved in any other case and he of his own volition intending to compensate the complainant against non-refundable sum of Rs.50,000/- without prejudice to his rights in trial, this Court does not find justification to extend his incarceration any further especially when no threat to prosecution witness has been expressed by the learned State counsel from the petitioner and his co-accused having already been granted concession of regular bail by this Court vide order dated 31.01.2024 passed in CRM-M-4063-2024.

5. 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 regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate and deposit of non-refundable sum of Rs.50,000/- 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.

27.02.2024
Tejwinder

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No