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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-11076-2024 (O&M)
Date of Decision:- 06.03.2024

SOMBIR @ SOMVEER

....Petitioner(s)

Versus

STATE OF HARYANA AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Kuldeep Sheoran, Advocate for the petitioner.

Mr. Vishal Malik, DAG Haryana.

Mr. Manoj Sharma, Advocte for respondent No.2.

SANJIV BERRY, J. (ORAL)

1. The instant petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in the following case:-

FIR No.	Dated	Sections	Police Station
356	05.12.2023	25 of the Arms Act and 379-B and 397 of the IPC (later on Sections 25 of the Arms Act and 379-B and 397 IPC deleted and Sections 201, 203, 406, 408 and 511 IPC added)	Siwani, District Bhiwani

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the case. He submits that the petitioner is in custody since 06.12.2023 and challan has

already been presented in Court. He submits that in the meanwhile, the matter was compromised between the parties and complainant/respondent No.2 has furnished his affidavit pleading no objection in case the petitioner is granted the concession of bail. He thus prays for grant of regular bail to the petitioner.

3. Learned counsel appearing on behalf of complainant/respondent No.2 submits that the complainant has no grievance against the petitioner and has no objection in case bail is granted to the petitioner. He has supplied the affidavit of the complainant dated 02.03.2024, which is ordered to be taken on record.

4. The learned State counsel has not disputed the factual matrix and admitted that challan has already been presented in Court.

5. Heard.

6. After considering the respective submissions and perusing the record, it transpires that as per the case of the prosecution, the petitioner along with co-accused are stated to have snatched the mobile phone and Rs.20 lakhs cash from respondent No.2. The recovery of cash along with mobile phone has already been effected and after the completion of investigation, challan has been presented in Court, which is pending trial. The complainant/respondent No.2 has voluntarily given an affidavit pleading no objection in case bail is granted to the petitioner and even otherwise the conclusion of trial to ascertain the criminal liability, if any, of the petitioner, will take sufficient long time and no purpose would be served by detaining the petitioner in custody any longer.

7.

In these circumstances, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.
8.

Any observation made above shall not be construed as opinion of this Court on the merits of the case.
9.

Pending miscellaneous application(s), if any, stand disposed of.

(SANJIV BERRY)

JUDGE

06.03.2024

S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No