

222 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-11047-2024
Decided on:-06.03.2024

Ajay KumarPetitioner..

vs.

State of HaryanaRespondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Dheeraj Narula, 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.20, dated 18.01.2024, registered under Sections 379-B IPC (Section 120-B IPC added later on), at Police Station Ellenabad, District Sirsa (Haryana).
2. In the present case, the petitioner has been implicated besides two others for having snatched a sum of Rs.1,70,468/- from the complainant.
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.50,000/- with the Trial Court without prejudice to his rights in the trial.
4. The prayer made herein has been opposed at the instance of learned State counsel while submitting that the custody of the petitioner is

only 1½ month and considering the nature of the allegations, he does not deserve the concession of regular bail. He also submits that the complainant even suffered multiple injuries during the incident in question, though simple in nature.

5. 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.

6. In the present case, the petitioner is not involved in any other case besides it, he was not out of the three, who snatched the money from the complainant but was involved in conducting of reki. The petitioner is already behind the bars for the last 1½ month, who is a young boy of 21 years of age and as per learned State counsel, the investigation is almost complete and challan is likely to be presented at the earliest. The trial is likely to take some time. Thus, considering the aforesaid facts, I do not find any justification to extend the incarceration of the petitioner.

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.50,000/-, 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 transmitted to the Ujjiwan Bank, Branch Ellenabad, to be adjusted towards the payment which was to be deposited by the complainant.

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

06.03.2024
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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:

Whether reportable:

Yes/No

Yes/ No