

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

229

CRM-M-14456-2024 (O&M)
Date of decision:-01.04.2024

PARGAT SINGH @ BAGGI

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Sandeep Saini, Advocate for the petitioner.
Mr. Vishal Malik, DAG Haryana.

SANJIV BERRY, J. (ORAL)

1. Custody certificate dated 28.03.2024 filed by learned State counsel is taken on record. Copy thereof has been supplied to the counsel opposite.
2. The instant petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
328	08.11.2023	379-A, 34 IPC	City Ratia, District Fatehabad

3. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He submits that compromise has been effected between the parties vide affidavit

dated 26.02.2024 (Annexure P-2). He submits that petitioner is in custody since 08.11.2023 and challan has already been presented in Court. He further submits that similarly situated co-accused namely Rajinder Singh has already been granted the concession of bail by this Court vide order dated 19.03.2024 passed in CRM-M-13165-2024. As such, he prays for grant of concession of bail to the petitioner.

4. *Per contra*, learned State counsel has not disputed the factual matrix of the case but states that considering the nature and gravity of offence the petitioner does not deserve concession of bail. However he has submitted that challan has already been presented in Court and charges have not yet been framed.

5. After considering the rival contentions and going through the record, it transpires that petitioner was arrested on the allegations of having snatched mobile phone from the victim, recovery thereof has already been effected. After completion of investigation, challan has already been presented in Court, although, charges have yet not been framed. It is pertinent to mention here that although the offences are not compoundable but the petitioner has already effected compromise with the victim (Annexure P-2), on the basis whereof, this Court has granted the concession of bail to the co-accused. The conclusion of trial will take sufficient long time to ascertain criminal liability, if any, of the petitioner and no purpose would be served by keeping petitioner behind bars any longer.

6. Resultantly, without commenting on the merits of the case, it is observed that no purpose would be served by keeping petitioner behind bars.

Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court 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.

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

(SANJIV BERRY)
JUDGE

01.04.2024
S.Sharma(syr)

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