

207 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-15560-2024

Decided on:-05.04.2024

Ravi Kumar

....Petitioner..

VS.

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Naresh Kumar Ganga, 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 to the petitioner, pending trial in case FIR No.546 dated 26.09.2023, registered under Sections 392, 120-B and 379-B IPC (Section 450 IPC added later on), at Police Station Ranai, District Sirsa.

2. Learned counsel for the petitioner submits that the petitioner has been implicated on the basis of disclosure statement made by one of the co-accused, namely, Bhim Sain, who was apprehended at the spot and as per the allegations he along with his other co-accused entered the house of the complainant and snatched her ear rings.

3. The prayer made herein has been opposed at the instance of learned State counsel while submitting that *prima facie* involvement of the

petitioner is established from the electronic evidence in the shape of call details between the petitioner and co-accused-Vikram and thus, prays for dismissal of the present petition.

4. 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.

5. In the present case, investigation already stands concluded with the filing of challan followed by framing of charges and petitioner is already behind the bars for a period of more than 6½ months. The petitioner was implicated in the present case only on the basis of disclosure statement made by co-accused Bhim Sain, which is yet to be ascertained during trial along with electronic evidence in the shape of call details. Otherwise also, the co-accused of the petitioner namely, Vikram and Vijay, have already been granted the concession of regular bail by this Court vide order dated 31.01.2024 passed in CRM-M-4063-2024 as well as order dated 27.02.2024 passed in CRM-M-9426-2024, respectively. Moreover, the petitioner volunteers to compensate the complainant as an interim measure for a non-refundable sum of Rs.50,000/- without prejudice to his rights in the trial.

6. 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

CRM-M-15560-2024

aforesaid amount of Rs.50,000/-, which is non-refundable as volunteered by the petitioner, shall be deposited by him 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.

05.04.2024
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(HARKESH MANUJA)
JUDGE

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