

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

223

CRM-M No.16011 of 2024
Date of Decision: 08.04.2024

NARESH KUMARPetitioner

Vs
STATE OF PUNJABRespondent

CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA*

Present: Mr. Munish Puri, Advocate
for the petitioner.

Mr. Athar Ahmed, DAG, Punjab.

HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case bearing FIR No.63 dated 10.11.2023 registered under Sections 379-B(2) IPC (Sections 411, 201 IPC added later on) at Police Station Narot, Jaimal Singh, District Pathankot.
2. Learned counsel for the petitioner submits that the petitioner has been implicated against the allegations of having snatched Rs.1,09,000/- from the complainant, who was going to deposit the same in his bank account at HDFC Bank, Janial, District Pathankot.
3. Ms. Deepti Rampal, Advocate appears on behalf of the complainant, who is also present in Court and duly identified by her submits that the parties have entered into a settlement and the petitioner has even returned the amount besides having tendered his unconditional apology to the complainant.
3. On the other hand, the prayer made on behalf of the petitioner has been opposed by learned State counsel by referring to the antecedents of the petitioner and his involvement in one more case under the NDPS Act.

4. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made by learned counsel for the petitioner.
5. In the present case, the complainant duly identified by his counsel submits that the parties have entered into a settlement and he has already received his amount from the petitioner, who has also tendered unconditional apology before him. The custody of the petitioner in the present case is nearly 05 months and the investigation already stands concluded with the filing of challan followed by framing of charges and the trial is likely to take sometime in its culmination; besides petitioner being on bail in the NDPS case.
6. Considering the fact that the petitioner has already suffered incarceration for a period of almost 05 months and the trial is likely to take sometime in its culmination, I do not find any justification to extend the incarceration of the petitioner.
7. 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 bail, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate.
8. It is made clear that this order may not be construed as expression of an opinion on the merits of the case.

April 08, 2024

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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No