

**217 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-19477-2024
Decided on:-29.04.2024**

Bhim Sain

....Petitioner..

vs.

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. D.S. Virk, 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.546, dated 26.09.2023, registered under Sections 120-B, 379-B and 392 IPC, Police Station Rania, District Sirsa, wherein, the petitioner was arrested at the spot and his other accomplices having broken into the house of the complainant besides having snatched ear rings of his mother.

2. The prayer made herein has been opposed at the instance of learned State counsel while submitting that the petitioner was specifically named in the FIR and his custody period is only 07 months, thus, he does not deserve the concession of regular bail.

3. 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.

4. In the present case, the investigation already stands concluded

with the filing of challan followed by framing of charges on 08.01.2024 and out of total 10 prosecution witnesses only 03 have been examined. The petitioner is behind the bars for the last 07 months and trial is likely to take some time. Otherwise also, the co-accused of the petitioner, namely, Vijay and Ravi Kumar have already been granted the concession of regular bail by this Court vide separate orders dated 27.02.2024, passed in CRM-M-9426-2024, titled as “*Vijay vs. State of Haryana*” and order dated 05.04.2024 passed in CRM-M-15560-2024, titled as “*Ravi Kumar vs. State of Haryana*”. Moreover, the petitioner volunteers to compensate the complainant as an interim measure for a non-refundable sum of Rs.75,000/- without prejudice to his rights in the trial.

5. Thus, considering the aforesaid facts, I do not find any justification to extend the incarceration of the petitioner.

6. 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.75,000/-, 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.

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

29.04.2024
sonika

(HARKESH MANUJA)
JUDGE

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