



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

202/1

CRM-M-30700-2024 (O&M)
Date of Decision: 29.11.2024

Harsh Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Navdeep Chhabra, Advocate for the petitioner.
Mr. Naveen S.Panwar, DAG, Haryana.

MAHABIR SINGH SINDHU, J.

Present second petition has been filed, under Section 439 of the Code of Criminal Procedure, 1973 for seeking bail pending trial in FIR No. 93 dated 29.04.2023, registered under Sections 120-B, 395, 506 of Indian Penal Code, 1860 (for short 'IPC'), at Police Station Partap Nagar, District Yamuna Nagar.

2. Allegations are that petitioner along with other co-accused hatched criminal conspiracy; looted the bag of complainant containing Rs.7,00,000/- as well as two blank signed cheques and threatened him of dire consequences.

3. Learned counsel for the petitioner contends that petitioner was granted interim bail by this Court on 05.07.2024 and in pursuance thereof, he is regularly appearing before learned trial Court. Further submits that there is no allegation that petitioner is likely to misuse the concession or hamper the proceedings in any manner.



4. Learned State Counsel, on instructions from quarter concerned, has acknowledged the above factual position and submits that petitioner is regularly appearing before learned trial Court. He also acknowledged that petitioner has not misused the concession of interim bail granted by this Court on 05.07.2024.

5. Heard learned counsel for both the sides and perused the paper book.

6. This Court granted interim bail to the petitioner on 05.07.2024 in the following manner:-

“ Learned State counsel has produced custody certificate dated 04.07.2024, which is taken on record. Registry to tag the same at appropriate place.

Contends, inter alia, that co-accused-Kaish Mohammad @ Saif Ali has already been granted the concession of bail pending trial by Coordinate Bench in CRM-M-19834-2024 on 03.07.2024 and another co-accused-Navjot Singh has also been granted interim bail in CRM-M-15800-2024 on 08.05.2024, which is pending for 13.07.2024.

To be heard alongwith CRM-M-15800-2024 on the date already fixed i.e. 13.07.2024.

In the meanwhile, petitioner be released on interim bail in the present case, till the next date of hearing, on furnishing adequate bail and surety bonds subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.”

7. Learned State counsel has duly acknowledged that petitioner is regularly appearing before learned trial Court and there is no allegation that in case, interim bail is made absolute, he is likely to misuse the concession or hamper the proceedings in any manner. In such a scenario, sending the petitioner to custody at this stage would not serve any purpose.

8. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 05.07.2024, is made absolute. He shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. Petitioner shall appear on each & every date of hearing and to



fully co-operate with learned trial Court without seeking any unnecessary adjournment(s).

10. The above observations be not construed as an expression of opinion on the merits of the case.

11. It is clarified that in case there is any misuse of concession by the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

29.11.2024
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

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