



In The High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-38077-2024 (O&M)
Date of Decision:- 29.10.2024

Mohit Kumar Alias Mohit ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Raj Kapoor Malik, Advocate, for the petitioner.
Mr. Neeraj Sheoran, DAG, Haryana.

FIR NO.	DATE	POLICE STATION	OFFENCES
0169	07.06.2024	Bhuna, District Fatehabad	323, 427, 436, 506, 34 IPC

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
2. The FIR was lodged at the instance of Rajendra wherein it is alleged that Mohit along with two of his friends had damaged his motorcycle and had also assaulted him and had broken the lock of his house and set on fire bed, papers and some other articles in the house.



3. Learned counsel for the petitioner submitted that a false case has been lodged against the petitioner and that there is no evidence of any assault having been made on the complainant inasmuch as there is no medical evidence to substantiate the said allegations.
4. Learned counsel submitted that the petitioner is a young man aged about 18 years and has a clean record. Learned counsel submitted that without prejudice to the rights of the petitioner to contest the allegations, the petitioner is willing to compensate the complainant for his alleged loss to the extent of Rs.25,000/-.
5. Opposing the petition, learned State counsel submitted that since petitioner is specifically named in the FIR and there are specific allegations against him, his complicity is clearly evident. It has however, been informed that the petitioner has been behind bars for the last about 4 months and 10 days and that challan already stands presented, but charges are yet to be framed. Learned State counsel submitted that the petitioner happens to be involved in one more case registered under Sections 392 and 394 IPC.
6. This Court has considered rival submissions addressed before this Court.
7. Without commenting anything as regards the veracity of the allegations made against the petitioner, but having regard to the nature of the allegations particularly the fact that no evidence was found as regards the alleged assault on the complainant and also while bearing



in mind the custody of the petitioner, the petition merits acceptance and is hereby accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

8. The aforesaid order shall however, be subject to the condition that the petitioner as per his offer shall pay an amount of Rs.25,000/- unconditionally to the complainant. The said amount may be deposited with the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned at the time of furnish bail bonds. The Court concerned shall inform the complainant and disburse the said amount to the complainant unconditionally subject to proper identification and receipt.

29.10.2024
mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No