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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARHCRM-5600-2024 in/and
CRM-M-54883-2023
Date of Decision:06.02.2024

Amar Nath

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S. ShekhawatPresent : Mr. Krishan Singh, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

N.S.Shekhawat J. (Oral)**CRM-5600-2024**

1. Application is allowed as prayed for. Annexures P-3 and P-4 are taken on record.

CRM-M-54883-2023

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.02 dated 03.02.2023 registered under Sections 406, 419, 420, 120-B, 201 of IPC, at Police Station Cyber Jhajjar, Haryana.

2. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case and the FIR has been got registered by the complainant, after delay of about 6 months as the alleged transaction has taken place on 04.08.2022, whereas, the FIR was got registered on 03.02.2023.

Learned counsel further contends that the petitioner was arrested in the present case on 19.05.2023 and the final report under Section 173 Cr.P.C. has already been presented against him. He further contends that now the parties have entered into a compromise vide compromise deed dated 18.01.2024 (Annexure P-3) and the similarly placed co-accused, namely, Shubham Kumar has already been granted the concession of bail by the Court of Sessions Judge, Jhajjar, vide order dated 02.02.2024 (Annexure P-4).

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner.

4. I have heard learned counsel for the parties and perused the record.

5. It is not in dispute that Shubham Kumar, co-accused has already been ordered to be released on bail by the Court of Sessions Judge, Jhajjar. Further, as per learned counsel for the petitioner, the matter has been amicably resolved between the parties. Further, the petitioner is in custody for the last more than 08 months and the offences are triable by the Court of Magistrate. Thus, no purpose would be served by keeping the petitioner behind bars.

6. Without commenting 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 bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

06.02.2024
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No