

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

**CRM-M-59122-2022 (O&M)
Date of decision : 12.02.2024**

Aamir Khan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Rohit Sharma, Advocate for
Mr. Munfaid Khan, Advocate for petitioner.

Mr. Vikram Singh, AAG., Haryana.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail pending trial to the petitioner in FIR No. 213 dated 23.06.2022, under Sections 379B, 392, 201 of Indian Penal Code, 1860 and Section 25 of Arms Act, registered at Police Station, Asauda, District Jhajjar.

2. Allegations are that when complainant- Babar Singh @ Bablu stopped his truck at Asauda Toll, petitioner along with other co-accused entered into the cabin of truck; pushed him down from the driver seat and also threatened to kill. Also alleged that accused snatched the purse of complainant, containing Rs.6200/- as well as mobile phone and decamped alongwith the truck.

3. This Court granted interim bail to the petitioner on 25.07.2023, in the following manner:-

“ Contends inter alia that petitioner was apprehended on the bais of supplementary statement made by the complainant and charges are yet to be framed; thus, trial is likely to take sufficient long time.

Learned State counsel seeks time to verify the above factual position.

Posted for 17.08.2023.

Petitioner is stated to be in custody since 01.07.2022, therefore, he be released on interim bail in the present case till the next date of hearing on his furnishing adequate bail and surety bonds subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned. ”

4. Learned counsel for the petitioner contends that petitioner is regularly appearing before learned trial Court and there is no allegation that he is likely to misuse the concession or hamper the proceedings in any manner.

5. Learned State counsel on instructions from quarter concerned has submitted that petitioner is regularly appearing before learned trial Court and there is no allegation that he is likely to misuse the concession or hamper the proceedings in any manner.

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

7. Concededly, petitioner was granted interim bail by this Court on 25.07.2023 and he is regularly appearing before learned trial Court. There is no allegation that petitioner is likely to misuse the concession of bail or hamper the proceedings, in case his interim bail is made absolute; thus, sending him 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 25.07.2023, 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 and fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

10. The above observations may not be 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 in any manner, by the petitioner, State of Haryana would be at liberty to move an appropriate application for recalling of this order.
12. Pending application(s), if any, shall also stand disposed off.

12.02.2024
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

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