

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-64321-2023(O&M)

Date of Decision:-05.01.2024

Prince.

.....Petitioner.

Vs.

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Rajesh Kumar Dhankar, Advocate for the Petitioner.

Mr. Kanwar Sanjiv Kumar, Assistant Advocate General,
Haryana.

Mr. Sanjeev Kadian, Advocate for the complainant.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition under Section 439 Cr.PC is for the grant of regular bail in case FIR No.0477 dated 22.12.2022 under Sections 323, 342, 379-B, 384, 506, 34 IPC registered at Police Station Beri, District Jhajjar.

2. The instant FIR came to be registered on the statement of Nitish son of Surender who stated that Prince (petitioner), Aman, Takdir and one unknown person kidnapped him, beat him up, confined him in a room of a house, snatched his phone and cash and attempted to extort money from him.

3. The learned counsel for the petitioner contends that the allegations levelled against the petitioner are baseless. The FIR had been registered after a delay of 2 days which completely falsifies the case of the

prosecution. The petitioner was in custody since 21.07.2023, the investigation stood completed but none of the 13 prosecution witnesses had been examined so far and, therefore, the trial of the present case was not likely to be concluded anytime soon. As a compromise had been arrived at between the parties, he was entitled to the concession of bail.

4. The Counsel for the State on the other hand contends that allegations levelled against the petitioner and his co-accused are grave. He is an accused in 05 other cases. Therefore, his criminal antecedents did not entitle him to the concession of bail.

5. The Counsel for the Complainant contends that a compromise has been arrived at between the parties and that the complainant has no objection if the petitioner is granted the concession of bail.

6. I have heard the learned counsel for the parties.

7. Admittedly, the petitioner is in custody since 21.07.2023. After the completion of investigation, none of the 13 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. Further a compromise has been arrived at between the parties. In this situation the further incarceration of the petitioner is not required.

8. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-**Prince** son of Sh. Bhagwan is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

9. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other crime other than the cases mentioned in this order.

10. In addition, the petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.50,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.
11. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

January 05, 2023
Vinay

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