



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

244

CRM-M-29427-2024 (O&M)
Date of Decision:- 06.03.2025

RAHUL

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Ms. Tanya Vashisht, Advocate for
Mr. S.S. Nain, Advocate for the petitioner.

Mr. Surender Singh, A.A.G. Haryana.

Mr. Mohit Saini, Advocate for
Mr. Kushagra Beniwal, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under
Section 439 CrPC for grant of regular bail to the petitioner in the following
case :-

FIR No.	Dated	Sections	Police Station
708	24.08.2022	379-B, 452 and 506 IPC	Samalkha, District Panipat

2. It is, *inter alia*, contended by learned counsel for the petitioner
that the petitioner is innocent and has been falsely implicated in this case. He
submits that the petitioner is in custody since 24.08.2022 and after the
completion of investigation, challan has been presented in Court and the
conclusion of the trial will take sufficient long time. Thus, prays for grant of



concession of bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the status report filed by the State has opposed the petition on the ground that the petitioner had trespassed in the house of the complainant to commit robbery. He has, however, not disputed the fact that after the completion of investigation, challan stands presented in the Court.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that the case of the prosecution is that on 23.08.2022, an information was received by the police that the petitioner had allegedly trespassed the house of the victim Aarti when she was alone at her house to commit robbery. However, on hue and cry raised by the victim, people gathered at the house and apprehended the accused-petitioner. Accordingly, the petitioner was arrested, however, no recovery has been effected from him. After the completion of investigation, challan was presented in the Court, wherein the prosecution has cited 12 witnesses and only 7 witnesses have yet been examined. The criminal liability, if any, of the petitioner, could only be determined after the conclusion of trial, which may take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any longer.

6. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not



required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

8. Pending miscellaneous application(s), if any, stands disposed of.

(SANJIV BERRY)
JUDGE

06.03.2025

S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No