

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRM-M-1396-2020 (O&M)
Date of decision: 29.05.2020

Irfan

....Petitioner

versus

State of Haryana

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Manish Soni, Advocate
for the petitioner.

Mr. Baljinder Singh Virk, Deputy AG, Haryana.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

CRM-9702-2020

Application is allowed, as prayed for.

Annexures from P-5 to P-7 are taken on record.

CRM-M-1396-2020

Petitioner-Irfan has filed the present petition *inter alia* with a prayer for grant of regular bail pending trial in case FIR No.189 dated 28.02.2019 under Sections 336 & 34 of Indian Penal Code, Section 25 of Arms Act, 1959 and Section 5 of Explosive Substances Act, 1908, registered at Police Station Mujesar, District Faridabad.

Learned counsel for the petitioner based on the pleadings, submits

that vide order dated 05.02.2020, the Additional Sessions Judge, Faridabad, has ordered that the petitioner along with Ram Kumar, Dinesh and Satish, be charged for offence punishable under Sections 25/54/59 of Arms Act. Learned counsel further submits that Satish has been granted bail vide order dated 11.02.2020 (Annexure P-7). He further submits that Ram Kumar has also been granted bail on 21.05.2020 by the Court of Additional Sessions Judge, Faridabad. He therefore claims parity since the co-accused have been granted bail.

The petitioner is in custody since 01.03.2019. It is submitted that the challan has been presented and the charges have been framed on 05.02.2020. However, because of present COVID situation, no PWs have been examined.

In the fact that the trial is likely to take some time and the co-accused have also been granted interim bail, this Court deems it appropriate to release the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned. However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

29.05.2020
anju rani

Whether speaking/ reasoned:
Whether Reportable:

Yes/No
Yes/No