

**CRM Nos. 19432 and 19433-2020
in/and CRM-M-1938-2020**

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

**CRM Nos. 19432 and 19433-2020
in/and CRM-M-1938-2020
Date of Decision: 18.08.2020**

Yudhveer

..Applicant/ Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Munish Kumar Garg, Advocate for applicant-petitioner.

Mr. Zorawar Singh Chauhan, AAG, Haryana.

...

Manoj Bajaj, J. (Oral)
CRM-19432-2020

Application is allowed, subject to all just exceptions. Annexure
P-2 is taken on record.

CRM-19433-2020

The application is for pre-poning the date of hearing of the
main petition to an early date.

Learned counsel for the applicant-petitioner contends that the
main case for grant of regular bail is fixed for 12.10.2020 and as the trial is
likely to consume considerable time, therefore, he prays for pre-ponement of
the main case.

Notice of the application.

At this stage, Mr. Zorawar Singh Chauhan, AAG, Haryana,
accepts notice on behalf of the respondent-State and does not oppose the
prayer.

Application is allowed and date of hearing is pre-poned to
today.

CRM-M-1938-2020

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail, pending trial in case FIR No.19 dated 09.01.2019 under Sections 394 IPC, however, after investigation offences under Sections 379-B, 395 and 458 added later on and Section 25 Arms Act, 1959, registered at Police Station Tohsam. The petitioner is in custody since his arrest on 26.08.2019.

The FIR was registered on the statement of Pawan Kumar wherein it was alleged that on the intervening night of 8/9.1.2019 at about 3.44 a.m., he received a telephonic information that four young boys armed with weapons committed robbery in his petrol pump, namely, Singhal Petro at Tosham Road, Near Herbal Park, Kairu. He rushed to the petrol pump and made an enquiry from his employees and his Salesman Parveen and Chowkidar Munshi Ram told him that in the night at about 3.30 a.m. When they were sleeping in their room, four young boys with covered faces entered the room. Three were having pistols in their hands and one was holding an iron rod. One of them pointed a pistol on Salesman Parveen and took away the amount of Rs.2500/- from his pocket and thereafter pointed his pistol towards Chowkidar Munshi Ram and took away Rs.1500/- and Arms Licence and asked for keys of office and almirah, which were not given. Thereupon two persons entered the office by breaking the glasses and opened the almirah after breaking open the lock with iron rod. They also broke the drawer of the office table, but found nothing in it. They took away 6 plastic sample bottles of diesel of 5-5 litres and 4 bottles of petrol. On these broad allegations, the FIR was registered.

of the petitioner, namely, Ravi has been released on regular bail passed by this Court vide order dated 06.08.2020, who was involved in other case of similar nature also and, therefore, the petitioner also deserves the concession of regular bail, who is not involved in any other similar case. It is pointed out that the investigation of the case is complete, however, the trial is not making any headway presently because of the ongoing pandemic. He prays for grant of regular bail during the pendency of the trial.

On the other hand, learned State counsel assisted by ASI Om Parkash, does not dispute this fact that the case of the petitioner is at par with co-accused Ravi, who is on bail.

After hearing learned counsel for the parties, this Court does not find any reason to decline the prayer of the petitioner as the trial is likely to consume considerable time, in the wake of outbreak of global pandemic, namely, COVID-19 in the region as certain restrictions have been imposed by State Government and District Administration in order to curb its spread. The petitioner after his arrest on 26.08.2019 is presently confined in judicial custody, therefore, his further detention behind the bars may not be justified. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

The petition is allowed.

18.08.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No