

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

CRM-M-5954-2020

Date of decision: 25.06.2020

Jaideep @ Jagdeep

.... Petitioner

versus

State of Haryana

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Mohit Sadana, Advocate
for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

Manjari Nehru Kaul, J.

Due to the outbreak of Covid-19 pandemic, the case is taken up for hearing through video conferencing.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.261 dated 07.08.2012 registered under Sections 302, 120-B and 34 IPC and Sections 24, 54 and 59 of Arms Act, 1959 at Police Station Sadar Sohna, District Gurugram.

Learned counsel for the petitioner contends that it is a case of false implication as would be evident from the fact that the petitioner was arrested six months after the alleged occurrence and that too on the basis of a disclosure statement made by co-accused in which he stated that he along with the petitioner had procured two country made pistols from U.P. He further contends that the petitioner has been in custody since 24.02.2019. He also contends that the trial is unlikely to conclude in the near future as only four out of 37 prosecution witnesses cited so far have been examined.

Learned counsel for the State, on the other hand, while opposing the prayer and submissions made by learned counsel for the petitioner has not been able to controvert the fact that the petitioner was indeed nominated as an accused only on the basis of disclosure statement and during the confession made by co-accused before the police.

Heard.

Having considered the submissions made by either side and the fact that the petitioner has been behind bars since 24.02.2019, this Court does not find any reason to decline the prayer of the petitioner for grant of regular bail. It is unlikely that the trial would conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

25.06.2020
sonia

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/non-speaking?	Yes/No
Whether reportable?	Yes/No