

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

(Heard through VC)

CRM No.22484 of 2020 in/and
CRM-M-10069 of 2020 (O&M)
Date of Decision: September 14, 2020

Rohit @ Bachchi

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Saurabh Sharma, Advocate
for the petitioner.

Mr. Deepshikha Chauhan, AAG Haryana.

JAISHREE THAKUR, J. (Oral)

CRM-22484-2020

This is an application that has been filed for preponing the hearing in the main petition for grant of regular bail.

For the reasons mentioned in the application, the same is allowed. Hearing in the main petition is preponed and the same is taken up today.

CRM-M-10069-2020

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.485 dated 25.11.2018, under Sections 148, 149, 307, 323, 427, 452, 506 of Indian

Penal Code (Section 302 of IPC added later on) and Sections 25, 54 of Arms Act, registered at Police Station Kurukshetra University, District Kurukshetra.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 01.12.2018. It is submitted that three star witnesses of the prosecution have turned hostile. It is argued that the allegations as set out in the FIR are not sustainable, while further contending that co-accused Rahul Malik and Mohit Sharma have already been allowed regular bail vide order dated 12.02.2020 in CRM-M-5209-2020 and vide order dated 11.09.2020 in CRM-M-6374-2020. It is also contended that since the courts are not functioning at their full strength due to Covid-19 pandemic, conclusion of trial will take sufficient time, as such, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that the offences alleged against the petitioner are serious in nature. However, she does not dispute the fact that two of the co-accused have already been allowed regular bail by this court.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in custody since 01.12.2018, that the trial is likely to take sufficient time to conclude as the courts are not working at their full strength due to Covid-19 pandemic and that co-accused have already been allowed regular bail by this court, no useful purpose would be served in keeping the petitioner

behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no affect on the merits of the case.

September 14, 2020
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No