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

**CRM-M No.10276 of 2020(O&M)
Date of Decision: 01.07.2020**

Lalit

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. B.S. Tewatia, Advocate
for the petitioner.

Mr. Anant Kataria, DAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.101 dated 25.03.2019 registered under Sections 379-B, 365, 341, 34 IPC (Section 25 of the Arms Act added later on) at Police Station Badshahpur, District Gurugram.

The FIR was registered at the instance of Bhagat Singh who has alleged incriminating allegations against two persons

who came in a Maruti Van from behind and stopped in front of Fortuner car of the complainant. Complainant could not see the vehicle number of Maruti Van. The accused took away Fortuner car of the complainant by making him to sit in Maruti Van. They also took away registration certificate, insurance, driving licence, mobile phone and purse of the complainant containing ATM card, Aadhaar card, pan card and an amount of Rs.2000/-. 2-3 persons also boarded Maruti Van and they assaulted the complainant. They left the complainant near village Nimot.

Learned counsel for the petitioner submitted that the petitioner has not been named in the FIR. His name has been disclosed by co-accused Parveen, who has already been granted regular bail by the Additional Sessions Judge, Gurugram vide order dated 20.05.2020. Accused Dharam @ Dharma has also been granted regular bail by the Additional Sessions Judge, Gurugram vide order dated 28.05.2020. Parveen was arrested on 25.04.2019. In view of disclosure statement of Parveen share/booty of the petitioner came to be Rs.10,000/- and out of the aforesaid amount, he got recovered an amount of Rs.2000/-. Recoveries were also effected from Dharam @ Dharma and other accused. Fortuner car has not been recovered so far. Challan has been presented. Out of total 15 prosecution witnesses, only 4 witnesses have been

examined so far. Due to the prevailing situation arising out of pandemic Covid-19, the trial of the case has been stalled.

The factual position has not been denied by learned State counsel on instructions from ASI Charan Singh.

Petitioner is in custody since 29.05.2020. The trial of the case may take long time in its culmination.

Taking into consideration the bail orders in favour of the co-accused and without meaning anything on merits of the case, I deem it appropriate to enlarge the petitioner on regular bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

Nothing expressed hereinabove, shall be construed to be an expression of any opinion on merits of the case.

01.07.2020

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**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No