

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

CRM-M-12551 of 2020.

Date of Decision: 20.05.2020.

Rakesh alias Billu

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Sumit Sangwan, Advocate for petitioner.

Mr. Saurabh Mohunta, Deputy Advocate General, Haryana.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Rakesh alias Billu** in case F.I.R. No.521 dated 07.11.2029 under Section 392 IPC read with Section 34 IPC and Section 25 of Arms Act (Section 29 of Arms Act added lateron), registered at Police Station Tosham, District Bhiwani.

Notice of motion.

At the asking of Court, Mr. Saurabh Mohunta, Deputy Advocate General, Haryana, accepts notice on behalf of respondent-State. Complete copy of paper book has been supplied to learned State counsel.

Learned counsel for the petitioner *inter alia* contends that petitioner has no nexus whatsoever with the alleged offence. He further submits that petitioner is in custody since 20.12.2019 and he is no more required by the Police for any investigation purpose. He further submits that Challan has already been presented in Court. He further urges that three co-accused have already been released on bail. He further urges that since consequent trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 20.12.2019; that petitioner is no more required by the Investigating Agency for investigation purpose and since consequent trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Rakesh alias Billu** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Bhiwani, as the case may be. However, petitioner has been given liberty to defer the furnishing of surety bond due to COVID-19 and he is directed to furnish the surety bond to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Bhiwani, as the case may be, on culmination of nationwide lockdown due to COVID-19.

(LALIT BATRA)
JUDGE

20.05.2020

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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No