

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

**CRM-M-12955 of 2020 (O&M)
DATE OF DECISION : 21.07.2020**

Gurwinder Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Ferry Sofat, Advocate,
for the petitioner.

Mr. Vikrant Pamboo, DAG, Haryana.
(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

This is a petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.294 dated 09.06.2018, under Sections 392, 395 of IPC and Section 25 of Arms Act, 1959 registered at Police Station Sector 5 Panchkula, Haryana.

2. Learned counsel for the petitioner contends that complainant Sh. Ravinder Sharma, concocted a false story to the effect that on 09.06.2018 car bearing Registration No.HR-01-A-5661 (in the name of his friend and eye-witness Shri Ram Mehar) was robbed by 3 unknown persons at gun point.

3. Learned counsel for the petitioner further submits that petitioner has been falsely implicated in the present case. He submits that complainant and eye witness have not supported the prosecution version in their cross-examination and were declared hostile.

4. He further submits that petitioner has been in custody since 19.06.2018. Petitioner filed an application for grant of regular bail before the

learned Sessions Judge, Panchkula and same was dismissed vide order dated 08.05.2020.

5. He further submits that challan has been presented. Charges have been framed. Two main witnesses i.e. complainant and eye witness have already been examined.

6. On a query of the Court, learned State counsel on instructions submits that all the material witnesses have been examined and they have turned hostile and not supported the prosecution version. He further submits that petitioner is though involved in another FIR under Section 307 IPC but he is on bail in the said case. Petitioner is stated to be in custody since 19.06.2018 and no useful purpose would be served to keep the petitioner behind the bars as the material witnesses have already been examined and there is no likelihood of their being influenced by the petitioners. That apart, owing to the current pandemic scenario, the trial is not likely to conclude any time soon.

7. Accordingly, the instant petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Illaq Magistrate/ Duty Magistrate, as the case may be.

(ARUN MONGA)
JUDGE

JULY 21, 2020
vandana

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