

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

CRM-M- 13665-2020 (O&M)

Date of Decision: June 15, 2020
(Heard thru video conferencing)

Sandeep

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. P.S. Sullar, Advocate
for the petitioner.

Ms. Dimple Jain, DAG, Haryana.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 357 dated 28.07.2019, under Sections 186, 353, 365, 394, 307, 511, 34 IPC and Section 25 Arms Act, 1959 registered at Police Station Sector 14, District Gurugram.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 06.08.2019. It is contended that the petitioner has been wrongly implicated in the present case and is in custody only on account of a disclosure statement as made by

one Anshul. It is argued that it is the said Anshul who is stated to have fired on the police when they tried to intervene and stop Anshul and his companion Deepak from taking the Jaguar car. It is further argued that in fact the recoveries of the alleged pistol used for shooting on the policemen, the Jaguar car and the Innova car, in which the accused persons have travelled have already been recovered from the said Anshul. It is further argued that the petitioner is in custody since 2019 and the investigation in the matter is complete and charges too stand framed and that the conclusion of trial will take sufficient time, therefore, 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 it was the said petitioner who drove away in the Innova car and that they were three persons who were involved in the attempt of hijacking the said car, however, does not dispute the fact that charges have been framed and the investigation is complete.

I have heard learned counsel for the parties and have perused the FIR as well as the order of the Court below declining bail to the petitioner.

Admittedly the petitioner herein has been arrested primarily on the basis of a disclosure statement of one Anshul, who is the person who had fired the weapon causing the injuries to the policemen. Since, in view of the restricted working of the Courts due to pandemic COVID-19 situation, the trial is likely to take some time and in view of the facts that the

petitioner herein has been in custody since 06.08.2019 and that the investigation in the matter is complete and the charges are framed and no recoveries to to be made, 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 his execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

June 15, 2020
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No