

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

**CRM-M-14311-2020
Decided on : 23.06.2020**

Mehtab Singh

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Diwan Singh Adlakha, Advocate
for the petitioner(s).

Ms. Dimple Jain, AAG, Haryana.

MANJARI NEHRU KAUL, J.

Due to the outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 478, dated 09.06.2019, under Sections 323, 365, 379-B, 506, 34 IPC, registered at Police Station Civil Lines, Karnal, District Karnal.

Learned counsel for the petitioner *inter alia* contends that a highly improbable and concocted story has been put-forth by the complainant while registering the FIR in question, which did not appeal to reason. It has been further contended that as per the allegations levelled in the FIR, the complainant was forcibly taken to several places by the petitioner including a liquor and wine shop, ATM cabin etc., however, the complainant did not even once raise an alarm. Moreover, the petitioner was nominated as an accused in the instant case on a confession allegedly made by him in another case i.e. FIR No. 324, dated 28.08.2018, registered under Sections 148, 149, 323, 324, 452, 506 IPC, at Police Station Nissing, which admittedly was hit by Section 25 of the Indian Evidence Act, 1872.

He has further contended that till date only challan has been presented and the trial is thus unlikely to conclude in the near future.

Per contra, learned State counsel has opposed the submissions made by learned counsel for the petitioner for grant of regular bail to the petitioner. She has, however, not been able to controvert the fact that the petitioner was nominated as an accused in the instant case on a confession allegedly made by him before the police in another case i.e. FIR 324, dated 28.08.2018.

Heard.

In view of the submissions made by learned counsel for the parties and keeping in view the fact that the petitioner has been behind bars since 13th May, 2020, no useful purpose would be served in keeping the petitioner behind bars, as the trial is unlikely to conclude in the near future, more so in the prevailing conditions due to the outbreak of pandemic COVID-19. Therefore, I deem it a fit case for grant of the concession of regular bail. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

June 23, 2020

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*