

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

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CRM-M-15842-2020

Date of decision: 03.07.2020

Ram Avtar**.....Petitioner****versus****State of Haryana****....Respondent****CORAM: Hon'ble Mr. Justice Girish Agnihotri**

Present: Mr. Tajender K. Joshi, Advocate for the petitioner.
Mr. Sukhdeep Parmar, DAG, Haryana.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Petitioner-Ram Avtar who is stated to be aged 35 years, has filed the present petition *inter alia* praying for grant of regular bail in case FIR No.1028 dated 15.10.2018, under Sections 406, 420, 506, 120-B IPC, registered at Police Station Model Town, Panipat, District Panipat.

Learned counsel for the petitioner based on pleadings, submits that even as per the allegations in the FIR, the dispute is civil in nature. In fact they have alleged that Rs. 9,95,000/- was deposited by the complainant in the account of the petitioner and his wife. Learned counsel further submits that the said amount was actually required to be invested so as to own good interest. He however submits that because of fluctuation in the market, the petitioner himself has lost the said amount. He still further submits that the challan in this case was presented on 18.09.2019 and the

petitioner stands arrested since 02.08.2019. There are total of 10 witnesses and no witness has been examined till date. Learned counsel then submits that due to the present COVID-19 situation and also the fact that trial is likely to take some time, detention of the petitioner in jail is dangerous to his life, therefore, petitioner is entitled for regular bail.

In view of the peculiar facts as noticed above, considering the existing situation due to COVID-19 and the fact that trial is likely to take some time, this Court deems it appropriate to direct the release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds. The petitioner is directed to get an FDR made in his own name for Rs.5 lacs for a period of two years and deposit the same with the Duty Magistrate/Trial Court. He would further give an undertaking that the same shall not be encashed till the further orders of the Court. However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

03.07.2020

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