

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CRM-M No. 16825 of 2020
Date of decision : July 15, 2020

Sumit Bajaj

..... **Petitioner**

Versus

State of Haryana

..... **Respondent**

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present:- Mr. Jitender K. Sehrawat, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG., Haryana.

Manjari Nehru Kaul, J (oral).

On account of outbreak of covid-19 the instant matter is being taken up through video conferencing.

This is a petition filed under Section 439 Cr.P.C for grant of regular bail to the petitioner, in case FIR No. 50 dated 2.3.2020 under Sections 420 IPC and Section 61, 1 and 14 of Punjab Excise Act, 1914 and later on Section 467, 468, 471, 379 IPC were added registered at Police Station Sanoli, District Panipat.

Learned counsel for the petitioner contends that a perusal of the FIR which was registered on the basis of secret information reveals that name of the petitioner did not figure in it and thus it left no manner of doubt that it was a case of false implication. Moreover, the petitioner was nominated as an accused on the basis of disclosure statement made before the police by co-accused Sarik and Amir Khan from whom the alleged recovery of 290 boxes of illicit liquor was effected.

On the other hand, learned State counsel on instructions from ASI Rajbir Singh, while opposing the grant of regular bail to the petitioner

ARCHANA ARORA
2020.07.15 14:52
I attest to the accuracy and
integrity of this document

has not been able to controvert the factum of the petitioner's name being nominated as an accused on the basis of disclosure statement of the co-accused. She further submits that the challan stands presented before the court below.

In view of the submissions made by learned counsel for the petitioner and keeping in view the fact that the petitioner has been in custody since 22.5.2020 and the trial is unlikely to conclude in the near future, moreso in the prevailing conditions on account of the outbreak of Covid-19, I deem it a fit case to grant the concession of regular bail to the petitioner. The instant petition is allowed. The petitioner is ordered to be released on regular bail to the satisfaction of the trial court/Duty Magistrate.

(MANJARI NEHRU KAUL)
JUDGE

July 15, 2020
archana

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No