

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

**CRM-M-17435-2020
Decided on : 21.07.2020**

Vikram

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Vivek Khatri, Advocate
for the petitioner(s).

Ms. Dimple Jain, Asstt. AG, 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. 261, dated 07.08.2012, under Sections 302, 34 IPC and Section 25 of the Arms Act and Section 25 of the Arms Act, 1959, registered at Police Station Sadar Sohna, District Gurugram.

Learned counsel for the petitioner *inter alia* contends that the petitioner is innocent and has been falsely implicated in the instant case. The false implication of the petitioner is evident from the fact that the petitioner was implicated in the instant case only on the basis of the alleged disclosure statement and confession made by the co-accused while in police custody to the effect that the weapon of offence had been procured through the petitioner. Learned counsel for the petitioner also contends that the co-accused, who were similarly placed had since been extended the concession of regular bail by this Court vide order dated 27th May, 2020 in CRM-M-50620-2019 (Annexure P-3) and order dated 25th June, 2020 in CRM-M-5954-2020. The petitioner has been in custody since 17th February, 2019 and no useful purpose would be

served by keeping the petitioner in custody as only 04 out of the 37 prosecution witnesses cited have been examined till date and due to the outbreak of the pandemic COVID-19, the trial will take a considerable time to conclude.

Learned State counsel on the other hand, while opposing the prayer and submissions made by learned counsel for the petitioner, has not been able to controvert the factual aspect of the submissions made by the learned counsel for the petitioner.

Heard.

The petitioner has been in custody for more than a year since his arrest on 17th February, 2019 and the trial is unlikely to conclude in the near future, more so in the prevailing conditions due to the outbreak of pandemic COVID-19. Accordingly, 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

July 21, 2020

J.Ram

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