

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-17916-2020

Date of Decision: 24.07.2020

Narender @ Mota @ Matru

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. SK Yadav, Advocate for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Case has been taken up for hearing through video conferencing due to pandemic Covid-19.

Through this petition under Section 439 Cr.P.C., petitioner-Narender @ Mota @ Matru, has prayed for grant of regular bail in case FIR No. 15 dated 06.01.2020 registered under Sections 379-A and 506 read with Section 34 IPC (Sections 120-B and 435 IPC added later on) at Police Station City Mahendergarh, District Mahendergarh.

According to prosecution, on 06.01.2020 two boys hired the car of complainant-Satish for Mohindergarh and when they reached near village Nangal Sirohi, they asked the complainant to alight from the car. On refusal, they looted the car by throwing its driver from the same.

Learned counsel *inter alia* contends that the petitioner was not amongst two persons who booked the car of complainant. He was not

named in the FIR. He has falsely implicated in the instant case on the basis of disclosure statement of his co-accused, which is a very weak type of evidence. Petitioner is in custody since, 23.01.2020. Conclusion of trial may take long time. No useful purpose would be served by detaining the petitioner in custody.

On the other hand, learned State counsel vehemently opposed the submissions of learned counsel for the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of case, the petition is allowed. Consequently, petitioner-Narender @ Mota @ Matru, is ordered to be released on bail pending trial, if, not required in any other case, on his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

July 24, 2020
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(RAMENDRA JAIN)
JUDGE

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