

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

CRR-999-2020 (O&M)
Date of decision : 06.08.2020

Viren

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Susheel Gautam, Advocate,
for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

JITENDRA CHAUHAN, J. (Oral)

The matter has been taken up through video-conferencing in the light of the pandemic COVID-19 situation and as per instructions.

The petitioner, who is a juvenile, has preferred this revision petition for grant of bail in FIR No.49 dated 22.02.2020, registered under Sections 307 and 379-B read with Section 34 of the Indian Penal Code; and Section 25 of the Arms Act, at P.S. Sector 13-17, HUDA, Panipat.

Learned counsel contends that the petitioner is not named in the FIR. He has been falsely implicated in the present case on the basis of his disclosure statement recorded after his arrest on 04.03.2020. No recovery has been effected from him.

On the other hand, learned State counsel submits that there are two more FIRs registered against the petitioner being FIR No.70 dated

18.02.2020 under Section 382 read with Section 34 IPC at P.S. Sahabad Dairy, Delhi and FIR No.295 dated 22.02.2020 under Section 379 IPC at P.S. Jagadhri, Distt. Yamuna Nagar. The challan already stands presented, however, the charges are yet to be framed.

Heard.

The petitioner is not named in the FIR. No recovery was effected from him. He is in custody since 04.03.2020. The other two matters indicated by learned State counsel, wherein, the petitioner is involved are still under investigation. The trial is yet to commence as the charges have not been framed so far. The Court feels that it will be in the interest of the petitioner and cause of justice if the present petition is accepted as no useful purpose would be achieved in keeping the petitioner under further incarceration.

Keeping in view the above and without adverting to the merits of the present case, the present petition is allowed; the impugned orders dated 21.05.2020 and 12.06.2020 are, hereby, set aside; and the petitioner is ordered to be released on bail during the pendency of the trial subject to his furnishing bail bonds/surety to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

06.08.2020
atulsethi

(JITENDRA CHAUHAN)
JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No