

CRM-M-19153-2020

Date of decision August 05, 2020

Rajan

....Petitioner

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr.KuldeepSheoran, Advocate for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

The petitioner prays for bail pending trial in FIR No. 282 dated 27.08.2019 under Sections 147, 148, 149, 216, 323, 427, 307, 120B IPC and Sections 25, 54, 59 of the Arms Act registered at Police Station Civil Lines, Bhiwani, District Bhiwani.

It is submitted that the petitioner has been falsely implicated in this case. Moreover, the petitioner is not attributed with any injury. The co-accused Anil @ Kamal Band as well as Vikas @ Mota, who are not attributed with any fire arm injury, have been afforded the concession of bail pending trial vide orders dated 03.07.2020 and 07.07.2020, respectively. It is, thus, prayed that this petition be allowed.

I have heard learned counsel for the parties.

Learned counsel for the State, on instructions from ASI Anil Kumar verifies, that final report under Section 173 Cr.P.C. stands presented. The petitioner is in custody since 19.09.2019. Though it is submitted that the petitioner

is involved in other criminal cases, learned counsel for the State is unable to deny that the petitioner is not differently placed from the co-accused, Anil @ Kamal Band and Vikas @ Mota. Trial in this case is not likely to conclude in the near future. None of the prosecution witnesses have yet been examined.

There are no allegations on behalf of the State that petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts before the trial Court, if released on bail.

No useful purpose shall be served by keeping the petitioner incarcerated any longer. Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition.

Consequently, the petitioner be released on bail pending trial subject to their furnishing requisite bail bonds and surety to the satisfaction of the learned trial Court/concerned Duty Magistrate. In case, the petitioner is found to be involved in any other criminal matters subsequent to his release, it shall be open to the State to move an appropriate application, for cancellation of bail in this case.

It is reiterated that none of the observations made herein above are a reflection on the merits of the case and shall have no bearing on the trial.

August 05, 2020
rts

(Lisa Gill)
Judge

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No