

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

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**CRM-M-20736-2020
Date of decision: 11.08.2020**

Deepak @ Goli

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Parvesh Jaglan, Advocate
for the petitioner.

Mr. Anant Kataria, DAG, Haryana
for the respondent-State.

ARUN KUMAR TYAGI, J (ORAL)

The case has been taken up for hearing through video conferencing.

The petitioner-Deepak @ Goli has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.246 dated 13.06.2019 registered under Section 25 of the Arms Act and Section 379-B of the Indian Penal Code, 1860 (for short 'the IPC') at Police Station Baldev Nagar, Ambala.

The above-said FIR was registered on statement of complainant-Satbir regarding snatching of his Breeza car by three unknown persons on gun point on 12.06.2019.

The petitioner has filed the present petition for grant of regular bail which has been opposed by learned State Counsel. However, no reply has been filed by respondent-State.

I have heard learned Counsel for the petitioner and learned State Counsel and gone through the record.

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated in the case. In his statement made in case bearing CIS No.SC-341-2019 titled as 'State Vs. Deepak @ Goli and others' FIR No.279 dated 26.06.2019 registered under Sections 398 and 401 of the IPC and Section 25 of the Arms Act, 1959 at Police

Station Ganaur, Sonapat, complainant-Satbir stated that he could not identify any of the accused who snatched his Breeza car due to darkness. The petitioner along with his co-accused has been acquitted in the above-said case. The petitioner is involved in case FIR No.95 dated 2019 registered under Sections 148, 149, 302, 324 326, 341 and 506 of the IPC at Police Station Baroda but he has been granted bail in the said case by learned Additional Sessions Judge, Sonapat vide order dated 16.06.2020. The trial in the present case is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. Therefore, the petitioner may be ordered to be released on regular bail.

On the other hand, learned State Counsel has argued that the in view of gravity of offences, the petitioner does not deserve grant of the concession of regular bail. Therefore, the petition may be dismissed.

Keeping in view the facts and circumstances of the case, nature of accusation and evidence against the petitioner and the fact that the trial is likely to take long time due to restrictions imposed to prevent the spread of infection of Covid-19 but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of requisite bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

11.08.2020

Kothiyal

**(ARUN KUMAR TYAGI)
JUDGE**

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