

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-21273-2020
Date of decision August 13, 2020

Suresh GoyalPetitioner

Versus

State of HaryanaRespondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Sandeep Panwar, 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. 0588 dated 20.12.2019 under Sections 409, 420 IPC registered at Police Station Sector 5, Panchkula.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. As many as six persons/employees are named as accused in this FIR registered on 20.12.2019. However, it is only the present petitioner, who has been arrested in this matter. One of the co-accused, Ruchika Sharma has been found innocent by the police authorities. It is further submitted that final report under Section 173 Cr.P.C./challan qua the petitioner stands presented on 28.05.2020. No recovery has to be effected from the petitioner, who is in custody since 01.03.2020. It is, thus, prayed that this petition be allowed.

I have heard learned counsel for the parties.

Learned counsel for the State does not deny that it is only the present petitioner, who has since been arrested in this matter. He does not have any details

as to why the other co-accused other than Ruchika Sharma, who was declared innocent, have not been arrested. Learned counsel for the State, on instructions from SI Rakesh, verifies that final report under Section 173 Cr.P.C./challan against the petitioner stands presented. No recovery has to be effected from the present petitioner.

Due to outbreak of the pandemic, COVID-19, not much progress is being made towards the conclusion of the trial. 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 learned 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 his furnishing requisite bail bonds and surety to the satisfaction of the learned trial Court/concerned Duty Magistrate.

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 13, 2020
rts

(Lisa Gill)
Judge

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