

IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
206 (PROCEEDINGS THROUGH V.C.)

CRM-M-20743-2020

Date of decision: 22.09.2020

SATISH

...PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. R.K.Bagga, Advocate,
for the petitioner.

Ms. Tanisha Peshawaria, DAG, Haryana,
for the State.

Mr. Satbir Singh Kanwar, Advocate,
for respondent No. 2-complainant.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this application is for grant of regular bail to the petitioner in FIR No. 168 dated 14.05.2020 under Sections 454/380 IPC registered at Police Station Pundri, District Kaithal.

It is the contention of the learned counsel for the petitioner that the allegations against the petitioner are that an unknown person has stolen amount of ₹3 lacs belonging to the complainant from an iron box which was found locked after the money was stolen. It is further asserted that the petitioner was arrested on 16.05.2020. The challan has been presented on 23.06.2020 and the case is fixed before the trial Court on 29.09.2020 with no witness examined out of five prosecution witnesses cited. Because of the prevailing pandemic, the trial is not likely to conclude in near future

and, therefore, counsel prays that the petitioner be granted the concession of bail.

On the other hand, learned counsel for the State submits that the petitioner does not deserve the concession of bail as recovery has been effected from him.

Counsel for the complainant has also put in appearance. The petitioner and the complainant are close relative and the said complainant has no objection in case the petitioner is granted the concession of bail.

I have considered the submissions made by the counsel for the parties and keeping in view the fact that the petitioner is in custody for more than four months with the offence is triable by the Magistrate and the trial is not likely to proceed in the matter because of the prevailing pandemic and the Courts are working in a restricted mode, none of the witnesses have been examined, in fact, no charge has been framed till date, and the complainant has no objection to the prayer made by the petitioner, the present application is allowed.

Petitioner is directed to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Chief Judicial Magistrate/Duty Magistrate, Kaithal.

Any observation made herein above shall have no bearing on the merits of the case during trial in any manner.

September 22, 2020
pj

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No