

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-21904-2020

DATE OF DECISION: 14.08.2020

ASHOK KUMAR @ SHOKI

... Petitioner (s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Parminder Singh, Advocate
for the petitioner.

Mr. Gaurav Gurcharan Rai, AAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.235 dated 06.12.2018, under Sections 395 and 397 IPC and Sections 25 & 54 of the Arms Act, 1959 (Sections 109, 483, 201 and 412 IPC added later on), registered at Police Station Kaithal, District Kaithal.

Learned counsel for the petitioner contends that it is alleged that the petitioner along with the co-accused had manhandled the complainant and conductor and driven away the truck loaded with paddy. He further contends that it is also alleged that the two mobile phones and Rs.15,700/- was snatched. He, however, contends that the paddy was later on found at a place owned by the government and, therefore, there was no misappropriation of the paddy. There is no allegation that the petitioner had disposed of any part of the paddy. The co-accused Nand Kishore @ Nandu and Ajay Kumar had been granted regular bail by the coordinate Benches of this Court in CRM-M-25210 of 2019 on 30.10.2019 and in CRM-30232 of 2019 on 06.09.2019

respectively. He also contends that the petitioner is also involved in two other cases. Both the co-accused were also involved in other cases but they are on bail in those cases. He is in custody since 03.09.2019.

Learned State counsel upon instructions from ASI Jaswant Singh contends that challan has been filed on 29.10.2019 but the charges are yet to be framed.

Heard through video conferencing.

In view of the submissions of the learned counsel for the petitioner, especially when the co-accused has been granted bail, the petitioner is in custody for almost a year, the COVID-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

14.08.2020.

SwarnjitS

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