

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

(Heard through VC)

CRM-M-22708 of 2020 (O&M)
Date of Decision: November 10, 2020

Vinod @ Susa

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Baljeet Beniwal, Advocate
for the petitioner.

Mr. Manish Bansal, DAG Haryana.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.162 dated 12.04.2018, under Sections 395, 397, 427, 458, 325, 201 of Indian Penal Code, registered at Police Station Civil Line Kaithal, District Kaithal.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid on 20.05.2020. It is submitted that the petitioner has been falsely implicated in the present case. It is argued that in fact other accused either have been acquitted by the trial court or the matter has been compromised between themselves and the proceedings under the FIR have been quashed against them. It is submitted that the petitioner herein was declared as PO in these proceedings only on account of the fact that he was in custody in another case and that is why, he could not put in an appearance in the proceedings under the instant FIR. It

is also argued that custodial interrogation of the petitioner would not be required any further, since the supplementary challan already stands presented, while further submitting that the injury attributed to the petitioner herein is simple in nature.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that the petitioner had been declared as PO and other have been honourably acquitted/discharged, therefore, the petitioner has to face the trial.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in custody since 20.05.2020; supplementary challan already stands presented against the petitioner and that trial is not proceeding because of limited working of the courts due to Covid-19 pandemic, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of personal bond in the sum of ₹ 1 lac with one surety in the like amount to the satisfaction of concerned trial Court/Duty Magistrate.

However, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no affect on the merits of the case.

November 10, 2020

vijay saini

Whether speaking/reasoned
Whether reportable

(JAISHREE THAKUR)
JUDGE

Yes/No
Yes/No