

SHIVANI GUPTA  
2020.08.21 17:14

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

**Crl. Misc. M-23207 of 2020**  
**Date of decision: 21.08.2020**

**209**

Tilak Raj

....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA**

Present: Mr. Sandeep Lather, Advocate,  
for the petitioners.

Mr. Anant Kataria, DAG, Haryana.

(Proceedings are conducted through video  
conferencing as per instructions).

**G.S.SANDHAWALIA, J. (Oral)**

The petitioner seeks regular bail in a petition filed under Section 439 Cr.P.C. in FIR No. 119 dated 04.03.2020 under Sections 379, 328 IPC, P.S. City Jind, District Jind.

The FIR was lodged by Hukam Chand @ Hukma, who stated that he had been given orange juice to drink near a *Mandir* and due to mixing of something in the juice, he had fallen semi-unconscious. The petitioner alongwith his co-accused had laid him on the foot path near *Rani Talab* and deprived him of his earrings. He had caught one of the persons not being fully unconscious.

Counsel for the petitioner submits that the complainant was an aged person, who had required help and the petitioner, alongwith co-accused, tried to help him but have been nominated in the theft of earrings. It is submitted that the investigation is complete since the challan was

presented on 22.04.2020 and he is in custody since 04.03.2020. Counsel further submits that there is no other case of similar nature against him and, therefore, no useful purpose would be served by keeping the petitioner in custody.

Mr. Anant Kataria, DAG, Haryana, on instructions from ASI Wazir Singh, has vouched the fact of no other similar case against the petitioner and the stage of the investigation being complete.

Keeping in view the fact that the trial is likely to take considerable time specially keeping in view the Covid-19 pandemic and the antecedents of the petitioner that he is not involved in any other similar case, he is entitled for the benefit of bail.

Accordingly, the petition is allowed and the petitioner is directed to be released on bail to the satisfaction of Duty Magistrate/Illaq Magistrate, Jind.

21.08.2020  
shivani

(G.S. SANDHAWALIA)  
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No