

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

206

CRM-M-23415-2020

Date of decision: 28.08.2020

Ashok Kumar**.....Petitioner****versus****State of Haryana****....Respondent****CORAM: Hon'ble Mr. Justice Girish Agnihotri**

Present: Mr. Vimal Kumar Gupta, Advocate for the petitioner.

Mr. Rajiv Goel, DAG, Haryana.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of restrictions due to outbreak of pandemic COVID-19.

Petitioner-Ashok Kumar, stated to be aged 45 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.302 dated 02.08.2017, registered under Sections 406, 420, 467, 468, 471 & 120- B of Indian Penal Code, at Police Station Old Faridabad, District Faridabad.

Learned counsel for the petitioner, based on the pleadings, submits that the petitioner was arrested on 19.02.2020. By making reference to the Account Statement of home loan in the name of the petitioner (Annexure P-3), learned counsel submits that the petitioner has made substantial payment i.e. Rs.1,29,38,775/- till the year 2017. He then submits that total loan was of lesser amount than the above said amount i.e. approximately Rs.73,00,000/-.

Learned State counsel, on instructions from ASI Ajay, submits that the challan has been presented on 12.05.2020. There are total of 18 witnesses

and none has been examined till date. He further submits that there were three FIRs pending against the petitioner and out of which, two FIRs are registered under Section 420 IPC.

Faced with the situation, learned counsel for the petitioner submits that in view of the COVID situation, detention of the petitioner in jail would be dangerous to his life and also the fact that trial is likely to take some time, the petitioner may be granted concession of regular bail.

In view of the peculiar facts noticed above, the present situation due to COVID-19 and also the fact that trial is likely to take some time, this Court deems it appropriate to direct release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds. However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

In addition to the above bail/surety bonds, the petitioner is directed to furnish either bank guarantee or original papers of immovable property, worth Rs.10,00,000/-, in his own name or his relative/friend with an undertaking that the said property shall neither be sold nor any encumbrance will be created upon the same. The bank guarantee or the property papers shall remain as security till further orders of the trial Court.

Accordingly, the present petition stands disposed of.

(GIRISH AGNIHOTRI)
JUDGE

28.08.2020

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Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No