

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

CRM-M-26710-2020

Date of decision: 25.9.2020

Bintu @ Mintu Grover

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr.Devinder Singh, Advocate for the petitioner

Mr.Vikrant Pamboo, DAG, Haryana

JITENDRA CHAUHAN, J.

The matter has been taken up through video-conferencing in the light of the pandemic Covid-19 situation and as per instructions.

By way of the present petition, the petitioner is seeking regular bail in case FIR No.129, dated 20.2.2020 registered under Sections 379-B read with Section 34 IPC and Section 25 of the Arms Act, 1959 at Police Station City Bhiwani, District Bhiwani.

Learned counsel for the petitioner states that the petitioner is not named in the FIR. The occurrence took place on 20.2.2020. Allegedly, the petitioner has been shown carrying pistol and snatched Rs.15,000/- from the complainant. The petitioner was arrested on 13.7.2020 in FIR No.362 dated 11.7.2020 registered under Section 25 of the Arms Act at PS City Bhiwani, wherein disclosure statement was recorded and allegedly recovery of pistol was foisted upon him. No identification parade was carried out. He further submits that co-accused Sahil @ Mohit on identical grounds was admitted to

bail by the trial Court vide order dated 23.6.2020 (Annexure P1).

On the other hand, learned State counsel opposes the prayer of the petitioner and states that the petitioner is involved in other FIRs. He further submits that though the challan stands presented but no PW has been examined as yet.

Heard.

Though, the petitioner is involved in other FIRs, however, considering the fact that the petitioner is at par with co-accused Sahil @ Mohit, who has been admitted to bail by the learned trial Court and the petitioner is not named in the FIR, he is in custody since 13.7.2020 and no PW has been examined so far, therefore, there is total uncertainty about the conclusion of the trial, particularly in the present scenario of Covid -19 pandemic, the Court feels that no useful purpose will be achieved by keeping the petitioner under further incarceration.

In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail during the pendency of trial on his furnishing bail bonds with two local sureties to the satisfaction of the trial Court/ CJM/ Duty Magistrate.

In case of any abuse of the bail order, the complainant is free to either revive the present petition or to move the necessary application before the Investigating Officer.

However, anything noticed hereinabove, shall not be construed as an expression of opinion on the merits of the case.

25.9.2020
gsv

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned?

Yes / No

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Whether reportable?

Yes / No