

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-27026 of 2020

Date of Decision: 04.12.2020

Vikram @ Vicky

...Petitioner (s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Vishwajeet, Advocate
for the petitioner(s).

Ms. Geeta Sharma, D.A.G., Haryana.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in this petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in FIR No.115 dated 07.05.2020 under Sections 379A IPC and Sections 411 and 201 IPC (which have been added later on) registered at Police Station Kalayat, District Kaithal.

Learned counsel for the petitioner has argued that the petitioner is a jeweller by profession and therefore, he has been falsely involved in the present case. The allegation against the petitioner is that he had purchased the stolen ear rings from the snatchers-accused and then further used them for making other ornaments. However, no stolen

property has been recovered from him. Even the complainant could not show the proof that the stolen property belongs to him. There is no details regarding the material or weight of the ear rings in the complaint. However, the petitioner is in custody since 10.07.2020.

Learned State counsel does not dispute the custody of the petitioner. However, she has argued that the petitioner is a habitual offender and has been found involved in other FIRs, as detailed in the status report dated 05.10.2020. The accused Anil Kumar has confessed his guilt and in his disclosure statement, he has stated that the snatched ear rings have been sold to the petitioner, who is running a jewellery shop, for a sum of Rs.4,000/-.

I have heard learned counsel for the parties.

As per the status report, four more FIRs have been registered against the petitioner, out of which, three FIRs have been registered within less than a week, though in FIR No.74 dated 12.05.2020 under Sections 379A, 411, 120-B IPC P.S. Siwan, the petitioner is on bail. Considering the fact that the petitioner is in custody since 10.07.2020 and trial in the case is not likely to be concluded in near future due to Covid-19 pandemic, this Court deems it appropriate to release the petitioner on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

However, it is made clear that in case the petitioner is found indulged in any other similar case in future, the State shall be at liberty to seek cancellation of bail granted to the petitioner.

Needless to say that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

December 04, 2020
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?	Yes / No
Whether reportable?	Yes / No