IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

220 **CRM-M-27519 of 2020**
Date of Decision: 18.09.2020

(through video conferencing)

Vikram @ Jailli **....Petitioner**

Versus

State of Haryana **....Respondent**

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Bhupender Singh, Advocate
for the petitioner.

Mr. Apporv Garg, DAG, Haryana.

Mr. G.S. Sandhu, Advocate
for the complainant.

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Manjari Nehru Kaul, J.(Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner, in case FIR No.60 dated 14.03.2020 under Sections 323, 379-B, 506 and 34 IPC (Section 3(1)(S) of SC/ST Act, 1989 added later on), registered at Police Station Nissing, District Karnal.

Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the FIR in question. His false implication is evident from unexplained delay of 4 days in the lodging of the FIR. He further contends that the essential ingredients to attract the mischief of Section 379-B are not made out against the petitioner as the alleged snatching of mobile and Rs.2600/- was committed by co-accused Ankit. He further submits that the petitioner has been in custody since

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24.06.2020 and only challan has been presented till date. Hence, a prayer has been made for concession of regular bail since the trial is unlikely to conclude in the near future.

Per contra, learned State counsel, on instructions from ASI Balinder Singh, while opposing the prayer of learned counsel for the petitioner and submissions made by learned counsel for the petitioner, has not been able to controvert the factual aspect of the case. He has submitted that charges are likely to be framed on the next date of hearing i.e. 29.09.2020.

Learned counsel for the complainant has also opposed the prayer of regular bail to the petitioner by urging that there are serious allegations levelled against the petitioner in the FIR in question. He has submitted that the complainant was assaulted by the petitioner and the co-accused for which he had to be treated in a hospital.

In view of the submissions made by learned counsel for the petitioner and keeping in view the fact that the petitioner has been in custody since 24.06.2020 and due to the outbreak of the pandemic Covid-19, the trial is not likely to conclude in the near future, I deem it is a fit case to grant the concession of regular bail to the petitioner. Without expressing anything on the merits of the case, the instant petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the trial Court/Duty Magistrate concerned.

(MANJARI NEHRU KAUL)
JUDGE

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Whether speaking/ reasoned : Yes/ No
Whether Reportable : Yes/ No

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