

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-27546 of 2020
Date of decision:16.09.2020

Deepak

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Sunil Kumar Goswami, Advocate
for the petitioner.

Mr. Rajiv Sidhu, Deputy Advocate General, Haryana.

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

The petitioner is seeking regular bail in case FIR No.234 dated 15.06.2020 (Annexure P-1) under Section 379-A of Indian Penal Code, 1860 registered at Police Station City, Jind, District Jind.

Counsel for the petitioner has argued that a false has been registered against the petitioner as it has been alleged in the FIR that his name came to the knowledge of the complainant at a later stage but the complainant has not disclosed the source. Still further, it has been submitted by the counsel that the motorcycle allegedly used in the crime does not belong to him. It is his argument that recovery of the motorcycle and mobile has already been effected and the petitioner, who does not have any criminal

record, deserves to be enlarged on bail.

On the other hand, upon instructions from ASI Jasbir, counsel for the State submits that during investigation, it has transpired that motorcycle was in the name of the mother of the petitioner's friend and the petitioner had borrowed motorcycle from him. Recovery of both motorcycle and mobile has been effected from the petitioner. His instructions are that the challan was submitted on 28.06.2020 and the charges are yet to be framed.

Heard.

Considering the period of incarceration as well as the fact that the petitioner does not have any criminal antecedents and that the trial is likely to take sometime to conclude, no useful purpose would be served by keeping the petitioner behind the bars any further.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

It is clarified that any observation made hereinabove shall not be construed to be a reflection of opinion on the merits of the case.

(SUVIR SEHGAL)
JUDGE

September 16, 2020

savita

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No