

CRM-M-28193-2020

Date of decision: 22.09.2020

DHARMENDER

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. R.S.Mamli, Advocate
for the petitioner.

Mr. Amrik Singh Narwal, DAG, Haryana.

(The case has been taken up through video conferencing on account of Covid-19 Pandemic).

VIVEK PURI, J. (ORAL)

The petitioner is seeking regular bail under Section 439 Cr.P.C in the case bearing FIR No. 190 dated 26.05.2019 under Sections 120-B, 370 of Indian Penal Code, 1860 (Section 343 of Indian Penal Code Act, 1860 subsequently added) registered at Police Station Sadar Fatehabad, District Fatehabad. The allegations are with regard to the trafficking of the complainant by the petitioner alongwith co-accused.

It has been stated by the learned counsel for the petitioner that the arrest of the petitioner was effected on 27.05.2019. The investigation of the case is complete, the challan has already been presented in the Court, none of the witnesses have been examined till date on account of restricted functioning of the Court due to Covid-19 Pandemic and furthermore, similarly placed the co-accused namely Uttam Singh has been granted bail by the Co-ordinate Bench in terms of order dated 16.08.2020 passed in CRM-M-19295-2020.

On instructions from ASI Satish Kumar, the learned State counsel has

It may be mentioned here that similarly placed co-accused Uttam Singh was granted bail in terms of order dated 06.08.2020 though, his arrest was effected more than 03 months after the arrest of the petitioner. Moreover, the investigation of the case is complete, the challan has already been presented in the Court and the conclusion of the trial is likely to take sometime.

Keeping in view, the abovesaid facts, no useful purpose will be served by keeping the petitioner behind the bars in the present case. Moreover, the petitioner also becomes entitled to the concession of bail on the principle of parity.

Accordingly, the present petition is allowed and petitioner is ordered to be released on bail to the satisfaction of concerned Chief Judicial Magistrate/Illaqa Magistrate/Duty Magistrate.

22.09.2020
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No