

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

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**CRM-M No.27711 of 2020 (O&M)
Date of decision:17.09.2020**

Jasbir Singh

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Chandan Singh Rana, Advocate for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

SUVIR SEHGAL J. (ORAL)

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

Petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.298, dated 17.06.2020 registered under Sections 379-B IPC (Act No.45 of Year 1860) at Police Station Shahbad District Kurukshetra.

Counsel for the petitioner has argued that false case has been framed against the petitioner. According to him, no doubt, two names i.e. Pardeep and Jassi are reflected in the FIR but the petitioner is not known as Jassi. He contends that from a bare persual of FIR, it is clear that the alleged offence is not made out. The petitioner has been arrested on the

disclosure statement of the co-accused, Pardeep which is inadmissible in evidence. Counsel submits that the petitioner is in custody since 29.06.2020 and is not involved in any other case.

Per contra, State counsel, upon instructions from ASI Krishan Kumar submits that the name of the petitioner has not only been specifically mentioned in the FIR but was also disclosed by the co-accused. She has instructions to state that the petitioner made a disclosure statement on the basis of which a sum of Rs.1500/- was recovered from him. She submits that the challan has already been filed on 18.08.2020 and the charges are yet to be framed.

I have considered the rival submissions of the parties.

Keeping in view period of incarceration of the petitioner and the nature of allegations and the fact that the trial is likely to take some time, due to prevailing situation as a result of the outbreak of Corona Virus (Covid-19) Pandemic, no useful purpose would be served by keeping the petitioner in further detention. Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate.

17.09.2020

pooja saini

**(SUVIR SEHGAL)
JUDGE**

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No