

**208 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-28724-2020
Decided on : 02.12.2020

Sahil @ Jahid

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Munfaid Khan, Advocate
for the petitioner.

Mr. Arun Beniwal, DAG, Haryana.

Manjari Nehru Kaul, J.

Status report by way of affidavit of DSP, Punhana, District Nuh has been filed through email in Court, which is taken on record. Office to tag the same at appropriate place. As per the affidavit, the petitioner is not involved in any other criminal case.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.248 dated 16.07.2020 under Sections 365, 384, 379-B, 506, 34 of IPC and 25-54 of Arms Act 1959 registered at Police station Punhana District Nuh.

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the FIR in question on the basis of the disclosure statement made by co-accused Asma, the evidentiary value of which is of weak nature. He further contends that the petitioner has been in custody since 18.07.2020 and there is no likelihood of concluding the trial in the near future as only challan has been filed till date.

Per contra, learned State counsel while opposing the prayer of

learned counsel for the petitioner has submitted that charges are likely to be framed on the next date of hearing. He on instructions from SI Krishan Singh has conceded that the petitioner was named as an accused only on the basis of disclosure statement of co-accused Asma.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 18.07.2020, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

02.12.2020

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No