

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

**CRM-M-29343 of 2020(O&M)
DATE OF DECISION : 29.09.2020**

Jaspreet Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. R.S. Gill, Advocate,
For the petitioner.

Mr. Bhupender Singh, DAG Punjab
(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

1. This is a petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.294 dated 09.06.2018, under Sections 392, 395 of IPC and Section 25 of Arms Act, 1959 registered at Police Station Sector 5 Panchkula, Haryana.

2. Learned counsel for the petitioner contends that complainant Sh. Ravinder Sharma, concocted a false story to the effect that on 09.06.2018 car bearing Registration No.HR-01-A-5661 (in the name of his friend and eyewitness Shri Ram Mehar) was robbed by 3 unknown persons at gun point.

3. Learned counsel for the petitioner further submits that petitioner has been falsely implicated in the present case. He submits that investigation is over and challan has been filed. According to him, complainant and eye

witness have not supported the prosecution version in their cross-examination and were declared hostile. Petitioner is in custody for the last about two years. He further submits that co-accused Gurwinder Singh has been granted concession of bail vide order dated 21.07.2020 passed in CRM-M-12955 of 2020 and on the ground of parity alone, petitioner is entitled to bail.

4. On a query of the Court, learned State counsel, on instructions, submits that all the material witnesses have been examined and they have indeed turned hostile and not supported the prosecution version. He further admits that co-accused of the petitioner has already been granted concession of bail.

5. Petitioner is stated to be in custody for about two years. No useful purpose would be served to keep the petitioner behind the bars especially when material witnesses, already examined, have turned hostile. There is no likelihood of witnesses being influenced by the petitioners. That apart, owing to the current pandemic scenario, the trial is not likely to conclude any time soon. That apart, on the ground of parity alone, the petitioner is entitled to be released on bail.

6. Accordingly, the instant petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Illaq Magistrate/ Duty Magistrate, as the case may be.

SEPTEMBER 29, 2020
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(ARUN MONGA)
JUDGE

Whether speaking/reasoned :
Whether reportable :

Yes/No
Yes/No