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IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CRM-M No. 30338 of 2020

Date of decision : November 3, 2020

(Through Video Conferencing)

Pankaj

..... **Petitioner**

Versus

State of Haryana

..... **Respondent**

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present:- Mr. G. S. Sandhu, Advocate
for the petitioner.

Mr. Apoorv Garg, DAG., Haryana.

Manjari Nehru Kaul, J (oral).

This is the second petition filed under Section 439 Cr.P.C for grant of regular bail to the petitioner, in case FIR No. 480 dated 20.11.2019 under Sections 379-A IPC, 1860 registered at Police Station Butana, District Karnal.

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the FIR in question which is evident from the fact that even as per the statement of the complainant at the time of recording of the FIR it was alleged that only four persons had way laid him and there was no mention of any fifth person. He, thus, prays that the petitioner be extended the concession of regular bail as he has been in custody since 4.3.2020 and the trial is unlikely to conclude in the near future as only challan has been filed till date.

Per contra, learned State counsel while opposing the grant of regular bail to the petitioner on instructions from ASI Satpal Singh has submitted that the role of the petitioner in the instant case cropped during his interrogation in another FIR No. 49 dated 3.2.2020 registered under Section 379 IPC at Police Station Indri. However, he has not been able to controvert the fact that while registering FIR in question, the complainant had categorically stated that only four persons were involved in the crime in question.

Heard.

Keeping in view the fact that the petitioner has been in custody since 4.3.2020 and due to the outbreak of the pandemic Covid-19 the trial is unlikely to conclude in the near future, I deem it a fit case to grant the concession of regular bail to the petitioner. Therefore, without expressing anything on the merits of the case, the instant petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the trial court/Duty Magistrate.

(MANJARI NEHRU KAUL)
JUDGE

November 3, 2020
archana

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No