

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

CRM-M-30553 of 2020 (O&M)

DATE OF DECISION: 07.10.2020

Sandeep

.... Petitioner.

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MRS. JUSTICE ALKA SARIN

Present: Ms. Nupur Choudhary, Advocate, for
Mr. Hitesh Malik, Advocate, for the petitioner.

Ms.Dimple Jain, AAG, Haryana.

ALKA SARIN, J (Oral)

Heard through Video Conferencing.

The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short, 'CrPC') for grant of regular bail to the petitioner in FIR No.189 dated 28.06.2020 under Sections 341, 379, read with Section 34 of the Indian Penal Code, 1860 registered at Police Station Rai, Sonapat.

Learned counsel for the petitioner has contended that the petitioner is neither named in the FIR nor any role has been attributed to him and that he has falsely been implicated in the case. Learned counsel for the petitioner would further contend that the petitioner has been named only in the disclosure statement of the main accused.

Notice of motion.

On the asking of Court, Ms. Dimple Jain, Assistant Advocate General, Haryana has put in appearance on behalf of the respondent-State through video conferencing and accepts notice. She, on instructions from SI Ranbir Singh, states that the petitioner was driving the car in which all three accused were riding. The learned counsel for the State is however, not in a

position to deny that the petitioner was not named in the FIR and he was nominated only in the disclosure statement of the co-accused. Learned State counsel has further stated that there is no other case pending against the petitioner and no further recovery is to be effected from the petitioner.

In view of the submissions made by learned counsel for the parties and without commenting on the merits of the case and the fact that the trial is unlikely to conclude in the near future in view of the current scenario in the wake of the outbreak of the COVID-19 pandemic, I deem it to be a fit case to grant the concession of regular bail to the petitioner. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate/Trial Court concerned.

However, the Prosecution will always be at liberty to get the bail cancelled, in case, the petitioner is found to be misusing the concession of bail in any manner.

Disposed off.

October 07, 2020
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(ALKA SARIN)
JUDGE

NOTE:

Whether speaking/non-speaking: Yes/No
Whether reportable: Yes/No