

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

CRM-M-30384-2020

Date of Decision:07.10.2020

Samarjeet @ Mota

.....Petitioner

Vs.

State of Haryana

....Respondent

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr. Digvijay Singh Yadav, Advocate,
for the petitioner.

Mr.Deepak Bhardwaj, DAG, Haryana.

AMOL RATTAN SINGH, J. (Oral)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

By this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 Cr.P.C., upon FIR No.186, dated 03.08.2019, having been registered at Police Station Badhra, District Charkhi Dadri, alleging therein the commission of offences punishable under Sections 341, 379-B, 392 and 397 of the IPC and Section 25 of the Arms Act, 1959 (with Section 34 IPC added later).

Learned counsel for the petitioner submits that the co-accused of the petitioner, i.e. Bhana alias Govind, has already been released on bail by this court vide an order passed on 23.09.2020, in CRM-M-21182 of 2020.

Learned State counsel submits that in the present case the petitioner has been in custody for about 9 months and that there are 7 other

criminal cases registered against him, out of which, in three cases he has been acquitted (as per the petition itself), with him being on trial in three cases, but with him having been convicted in one case.

He, however, does not deny the contention of learned counsel for the petitioner that the complainant in the present FIR has also turned hostile.

That being so, without making any comment on the actual merits of the case and further looking at the fact that only 2 prosecution witnesses out of 13 have been examined so far, and the trial is not likely to proceed much in the current pandemic, the petition is allowed and the petitioner is ordered to be admitted to bail, upon him furnishing adequate bail and surety bonds to the satisfaction of the trial court/CJM/Duty Magistrate, concerned.

October 07, 2020

dharamvir/

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned : YES/NO
Whether Reportable : YES/NO