

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

CRM-M-30523-2020 (O&M)

Date of Decision: 27.10.2020

Abdul Munaf Ali

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. Harkesh Manuja, Advocate for the petitioner.

Mr. Parveen Aggarwal, DAG, Haryana.

SANT PARKASH, J.

[The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual court.]

Petitioner prays for grant of regular bail in a pending case arising out of FIR No.530 dated 06.11.2019 registered under Sections 394 and 397 of the Indian Penal Code at Police Station, Sector-40, Gurugram.

As per the case of the prosecution, the present case was initially registered against four unknown persons on the complaint made by one Wakil, who was working as a driver with a Transport Company. The complainant alleged that on 04.11.1991 when he was sleeping in the cabin of the vehicle, four persons entered in the vehicle and one of them started driving his vehicle. When he resisted, one of the accused inflicted knife blows on the person of the complainant. The complainant put blanket on the accused-driver due to which the vehicle turned turtle and the complainant also suffered injuries and became unconscious.

Learned counsel for the petitioner submits that the investigation in the present case has been concluded and challan has already been presented. He further submits that the petitioner is in custody since

10.11.2019. The petitioner has no previous criminal background.

Learned counsel for the State submits that the petitioner in connivance with the co-accused has committed very serious offence and he does not deserve concession of regular bail.

I have heard the learned counsel for the parties and perused the record.

The petitioner is in custody since 10.11.2019, which is not disputed by the learned counsel for the State. The weapon of offence has been got recovered from one of the co-accused namely Heera. Challan has been presented and no useful purpose would be served by further detaining the petitioner in custody. Moreover, conclusion of the trial will take some time keeping in view the prevailing pandemic situation.

Taking into consideration the totality of the circumstances and without commenting on the merits of the case, it is considered as appropriate to release the petitioner on regular bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial court/Duty Magistrate/Chief Judicial Magistrate.

Petition stands allowed.

27.10.2020
mks

(SANT PARKASH)
JUDGE

Whether speaking/reasoned:	Yes / No
Whether Reportable:	Yes / No