

**210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-30919-2020
Decided on : 09.10.2020

Rohit @ Lalit

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Nonish Kumar, Advocate
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana.

Mr. G.S.Sandhu, Advocate
for the complainant.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.60 dated 14.03.2020 registered under Sections 323, 379-B, 34 and 506 IPC,1860 and Section 3 (1)(s) of SC/ST Act at Police Station Nissing District Karnal.

Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the FIR in question. His false implication is evident from unexplained delay of 4 days in the lodging of the FIR. He further contends that the essential ingredients to attract the mischief of Section 379-B are not made out against the petitioner as the alleged snatching of mobile and Rs.2600/- was committed by co-accused Ankit. He further submits that the petitioner has been in custody since 10.08.2020 and only challan has been presented till date. It has also been contended that similarly situated co-accused namely Vikram @ Jailli has since been granted the concession of bail by this Court vide order dated 18.09.2020. Hence, a

prayer has been made for concession of regular bail since the trial is unlikely to conclude in the near future.

Per contra, learned State counsel, on instructions from ASI Balinder Singh, while opposing the prayer of learned counsel for the petitioner and submissions made by learned counsel for the petitioner, has not been able to controvert the factual aspect of the case. He has further conceded that the co-accused Vikram @ Jailli has been granted regular bail by this Court vide order dated 18.09.2020.

Learned counsel for the complainant has also opposed the prayer of regular bail to the petitioner by urging that there are serious allegations levelled against the petitioner in the FIR in question. He has submitted that the complainant was assaulted by the petitioner and the co-accused for which he had to be treated in a hospital.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 10.08.2020, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

09.10.2020
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No