

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

226

CRM-M-32814-2020

Date of Decision:11.12.2020

Vikrant Sharma

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Mr. Abhilaksh Grover, Advocate,
for the petitioner.**

**Ms. Gaganpreet Kaur, A.A.G., Haryana.

HARI PAL VERMA, J.(Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.352 dated 16.11.2019 under Sections 406, 420, 467, 468, 471, 120-B, 201 IPC, registered at Police Station Farakpur, District Yamuna Nagar.

Learned counsel for the petitioner has argued that the petitioner is in custody since 22.08.2020 and challan has been presented in the case. He submits that the petitioner is working in a reputed Multinational Company, whereas his wife is working in a Japanese Company. There is no allegation against the petitioner in the FIR and that is the reason, his name does not find mention in the case. Co-accused has named the petitioner in the case. It is merely on the basis of disclosure statement made by co-accused that the petitioner has played active role in preparing the forged

implicated in the present case. He submits that the Laptop as well as mobile phone of the petitioner were taken into custody, but no incriminating evidence has been found and the same were not sent to the Forensic Science Laboratory.

Learned State Counsel, on instructions from SI Satish Kumar, does not dispute the custody period. However, she submits that the Laptop and mobile phone of the petitioner were taken into custody, but the same were never sent to the Forensic Science Laboratory.

Heard learned counsel for the parties.

The petitioner is in custody since 22.08.2020. In the initial version, there is no allegation against the petitioner in the FIR and Laptop and mobile phone of the petitioner, which were taken into custody, were never sent to the Forensic Science Laboratory, culpability of the petitioner is yet to be established during the course of trial. Moreover, in view of COVID-19 pandemic, trial is not likely to be concluded in the near future. Thus, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

However, it is made clear that the observations made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall proceed with the trial independently without being influenced by the order of bail passed by this Court.

December 11, 2020
seema

(HARI PAL VERMA)
JUDGE

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