

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

CRM-M-33786-2020 (O&M)

Date of decision: 15.12.2020

Rohit @ Hunny

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. T.S. Attariwala, Advocate for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. A.G., Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

This is a petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No. 0029 dated 10.02.2020 under Section 25 of the Arms Act, 1959 and Sections 120-B, 302, 285, 506, 201 and 34 IPC, registered at Police Station Julana, District Jind.

Learned counsel for the petitioner states that the petitioner has not been named in the FIR and there is delay in lodging the present FIR as well. Even eye witness Dinesh has neither named the petitioner in his statement, nor attributed any specific role to him. It was Dharambir @ Manjit, who was arrested in another FIR No. 48 dated 18.02.2020 has named the petitioner in his disclosure statement but no specific role has been given to him. He also named Dashrath and Chhota Ram, who have not arrested till date. Moreover, the petitioner has been in custody since 19.02.2020 and there is no other previous case against the petitioner.

Copy of reply by way of affidavit dated 28.11.2020 of the Deputy Superintendent of Police, Detective Jind, already filed in the Registry, is taken on record.

Learned State counsel points out that as per the reply, recovery of one Ritz car and one mobile has been effected from the petitioner on this basis of his disclosure statement. He submits that challan qua Dharambir @ Manjit and the petitioner has already been filed.

I have heard the learned counsel for the parties.

Neither the petitioner was named in the FIR, nor the eye witnesses raised finger towards him, his name was indicted in the present case on the basis of disclosure statement of Dharambir @ Manjit, who was arrested in some other case, though he named the petitioner yet no specific role has been attributed to him.

The petitioner has been in custody since 19.02.2020. The trial will take time to conclude, especially due to prevailing situation of Covid-19. Thus, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

15.12.2020

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No