

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

213

CRM-M-34075-2020

Date of Decision:02.11.2020

Prabhat @ Ankush and another

.....Petitioners

Versus

State of Haryana

.....Respondent

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

Present: Mr. S.S. Siao, Advocate,
for the petitioners.

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 petitioners in FIR No.372 dated 01.07.2020 under Sections 379-B, 34 IPC, registered at Police Station City Karnal.

Learned counsel for the petitioners submits that the petitioners are in custody since 08.09.2020. He refers to the affidavits(Annexures P-3 to P-5) of the complainant and other aggrieved persons in favour of the petitioners to contend that the accused are not those persons who attacked them.

Learned State Counsel submits that since there is recovery of money and mobile phone, no ground to grant regular bail to the petitioners is made out.

Heard learned counsel for the parties.

Petitioners are in custody since 08.09.2020. The complainant and other aggrieved persons have submitted their affidavits(Annexures P-3 to P-5) in favour of the petitioners disclosing therein that the petitioners are not those persons who attacked them, this Court finds that culpability of the petitioners is yet to be established during the course of trial. Moreover, trial is not likely to be concluded in the near future due to prevailing situation of COVID-19 pandemic. Thus, this Court deems it appropriate to admit the petitioners on bail.

Accordingly, the present petition is allowed and the petitioners are admitted on regular bail, subject to their 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.

November 02, 2020
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No