

208.

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

CRM-M-34310-2020

Date of decision: 06.11.2020

PARVEEN

... Petitioner

versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Vijay Kumar Sheoran, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, 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 the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.27 dated 21.02.2016 registered under Sections 147/149/323/436 of IPC and Sections 3/4 of Prevention of Damage to Public Property Act, 1984 (challan presented against co-accused under Sections 147/148/149/323/307/436 of IPC and Sections 3/4 of Prevention of Damage to Public Property Act, 1984) at Police Station Loharu, District Bhiwani.

Learned counsel for the petitioner submits that apart from the fact that the complainant has not supported the case of the prosecution, he was declared proclaimed offender on 03.03.2017 and thereafter, arrested in the case on 02.09.2020 and since then, he is in custody. The other co-

accused are on bail. He further submits that the petitioner is a person belongs to scheduled castes category and therefore, could not have participated in the so-called incident.

Learned State counsel does not dispute the fact that the complainant has not supported the case of the prosecution.

I have heard learned counsel for the parties.

Considering the fact that the other co-accused are on bail but the petitioner was arrested in the case on 02.09.2020 as was declared proclaimed offender on 03.03.2017 and he belongs to SC category, 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 bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

The observations made hereinabove shall not be construed as an expression on the merits of the case and the trial court shall decide the case on the basis of available material.

(HARI PAL VERMA)
JUDGE

06.11.2020
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No