

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

(212)

CRM-M-34378-2020 (O&M)

Date of Decision: November 02, 2020

Dinesh @ Bholu

.. Petitioner

Versus

State of Haryana

.. Respondent

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rakesh Lathwal, Advocate, for the petitioner.

Ms. Safia Gupta, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI, J.(ORAL)

CRM-26446-2020

As prayed for, the application is allowed.

CRM-M-34378-2020

Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.180 dated 26.04.2020, under Sections 188, 341, 379-B, 392, 397 IPC read with Sections 25/27 of the Arms Act, 1959 registered at Police Station Kharkhoda, District Sonipat.

Learned counsel for the petitioner argues that the petitioner has been involved in the present case on the basis of the disclosure statement of the co-accused namely Sahil. Learned counsel for the petitioner submits that in fact the petitioner has wrongly been named by co-accused Sahil so as to implicate him as the said Sahil was having an illicit relationship with the wife of the petitioner. Learned counsel for the petitioner further submits

that no recovery has been done from the petitioner so as to connect him with the allegations alleged in the present FIR.

Notice of motion.

Ms. Safia Gupta, learned Assistant Advocate General, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned counsel for the respondent-State submits that the allegations alleged against the petitioner are serious in nature as a motorcycle was snatched from the complainant as the petitioner is a drug addict and the motorcycle was stolen for selling the same to buy the drugs. Learned counsel for the respondent-State further submits that the challan has already been presented against the petitioner though the charges are yet to be framed.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Once, the petitioner has been roped in the present case on the basis of the disclosure statement of the co-accused and nothing has been recovered from the petitioner during the investigation and challan has already been presented and the trial is likely to take some time, the petitioner has made out a case for the grant of regular bail especially when learned counsel for the petitioner has stated that the petitioner will maintain good behaviour while on bail and not indulge in any illegal activities.

Keeping in view the above, the petitioner has made out a case for the grant of regular bail.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence trial in any manner including influencing the witnesses and in case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

(HARSIMRAN SINGH SETHI)
JUDGE

November 02, 2020
harsha/naresh.k

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No