

213.

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

CRM-M-34116-2020

Date of decision: 04.11.2020

BITTU @ SARKARU @ JAGJIT

... Petitioner

versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Gourav Jain, 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.215 dated 20.05.2020 registered under Sections 379-A/34 of IPC at Police Station City Tohana, District Fatehabad.

As per the FIR on 20.05.2020 when the complainant was present in the shop, at about 4.30 PM, his friend Pawan has come so as to borrow Rs.2,000/- from the complainant, at that time, two young persons came to the shop and asked for a tablet for headache and the complainant asked them to wait for some time. Meanwhile, the complainant took out Rs.2,000/- from his pocket and was in the process of handing over the same to Pawan, suddenly those boys snatched the money from his hand and ran away. They were apprehended near ITI Tohana.

Learned counsel for the petitioner has argued that the petitioner is in custody since 20.05.2020. Since there was some altercation between the complainant and the petitioner, the present false case has been registered. The petitioner is otherwise innocent person. There is no other case pending against him. Trial in the case is not likely to be concluded in the near future.

Learned State counsel has submitted that regular bail application of the co-accused Suresh Kumar has been dismissed as withdrawn by this Court vide order dated 17.09.2020.

I have heard learned counsel for the parties.

Petitioner in custody since 20.05.2020. Apart from the fact that the bail application of the other co-accused Suresh Kumar was dismissed as withdrawn vide order dated 17.09.2020, petitioner is in custody since 20.05.2020 and there is no other case pending against him. Trial in the case is not likely to be concluded in the near future and the Covid-19 epidemic has further aggravated the delay in trial. 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 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

04.11.2020
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No