

104-Main case

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

CRM-M-37051-2020(O&M)

Date of decision : 01.12.2020

Hemant Wadhwa

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Mukesh Rao, Advocate for the petitioner.

Mr. Naveen Singh Panwar, DAG, Haryana.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.263 dated 29.10.2020 under Section 9-B of the Explosives Act, 1884; Sections 4 and 5 of the Explosive Substances Act, 1908; Sections 20, 21, 22 of the Haryana Fire Service Act, 2009 and Sections 188, 286, 34 and 420 of the Indian Penal Code, 1860 registered at Police Station B.P.T.P, District Faridabad.

Learned counsel for the petitioner would contend that subsequently Sections 4 and 5 of the Explosive Substances Act, 1908 and Section 420 of the Indian Penal Code, 1908 have been deleted and now only the bailable sections remain.

Notice of motion.

On the asking of the Court, Mr. Naveen Singh Panwar, who has joined the session through video conferencing, accepts notice on behalf of the respondent-State and he, on instructions from ASI Bachchu Singh, is not in a position to deny that all non-bailable sections now stand deleted.

In view of the above and considering the fact that the trial is likely to take some time to conclude especially in view of the prevailing conditions on account of COVID-19 pandemic, without commenting upon the merits of the case, I deem it to be a fit case for grant of regular bail to the petitioner. The petitioner is directed to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate/Trial Court concerned.

It is, however, made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

Disposed off, accordingly.

01.12.2020

Yogesh Sharma

**(ALKA SARIN)
JUDGE**

**NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO**