

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.37246 of 2020 (O&M)
Date of Decision.11.12.2020
(Heard through VC)

Sohit		...Petitioner
	Vs	
State of Haryana		...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Kunal Dawar, Advocate
for the petitioner.

Mr. P.P. Chahar, DAG, Haryana.

-:-

JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in case FIR No.468 dated 08.10.2018 registered under Sections 186, 201, 224, 225, 353, 307, 411, 385, 34 IPC and Sections 25, 54 & 59 of Arms Act at Police Station SGM Nagar, District Faridabad.

Learned counsel for the petitioner *inter alia* would contend that the petitioner has been falsely implicated in the instant FIR on the basis of disclosure statement made by one of the co-accused, which statement is countered by the counsel appearing on behalf of the respondent-State, who submits that the petitioner herein has been seen in the CCTV footage.

Counsel for the petitioner would further argue that the petitioner has been in custody since 11.07.2019 and the trial is not likely to conclude in the near future. He further relies upon cross-examination of the complainant wherein material witnesses have already turned hostile. It is further submitted that the alleged recovery made from the petitioner herein has not been sent to FSL. Apart from the above argument, counsel for the

petitioner seeks parity on the ground that similarly situated co-accused namely Ashish, Wazir @ Mota & Ranvir @ Pawan have already been allowed regular bail.

Learned counsel appearing on behalf of the respondent-State opposes grant of regular bail to the petitioner on the ground that the petitioner herein has been seen firing in the CCTV footage, however, is not in a position to dispute that similarly placed co-accused from whom recoveries are made have been allowed regular bail.

I have heard learned counsel for the parties and have perused the paper book.

Keeping in view the fact that the challan has been presented and that the co-accused have already been allowed bail by the High Court coupled with the fact that the trial is likely to take some time to conclude owing to *novel corona virus* situation, no useful purpose would be served by keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

December 11, 2020

Pankaj*

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