

207 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-38151 of 2020

Date of Decision : 27.11.2020

Sagar @ Mohit

...Petitioner

Versus

State of Haryana

...Respondent

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vikram Singh, Advocate for the petitioner.

Mr. Sharad Aggarwal, AAG, Haryana.

Harsimran Singh Sethi, J. (Oral)

The 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.67 dated 29.02.2020 under Sections 379-B and 120-B of IPC and Section 25 of the Arms Act, 1959 registered at Police Station Butana, District Karnal.

Learned counsel for the petitioner submits that the challan has already been submitted and the trial is likely to take some time and the petitioner is already behind the bars for the last six months. Learned counsel for the petitioner further submits that the co-accused of the petitioner namely, Robin, on whose disclosure statement, the petitioner has been roped in the present case, has already been granted the benefit of regular bail.

Notice of motion.

Mr. Sharad Aggarwal, AAG, Haryana, who has joined the

proceedings through video conference, keeping in view the service of advance copy of petition accepts notice on behalf of respondent-State.

Learned State counsel submits that the car, which was snatched from the complainant, has been recovered from the petitioner and, therefore, the petitioner be not granted the benefit of regular bail, at this stage, as same is likely to hamper the trial.

Learned counsel for the petitioner submits that the recovered car has been shown to be recovered from the two persons namely, Ankush and the petitioner.

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

Once, the investigation is already over and the petitioner is behind the bars for the last more than six months and the co-accused namely, Robin, upon whose disclosure statement, the petitioner was roped in the present FIR, has already been granted the benefit of bail, the petitioner has made out a case for the grant of regular bail, especially, when the trial is likely to take some time before it concludes and keeping in view the fact that the petitioner is not involved in any other case.

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

Learned counsel for the petitioner undertakes that petitioner will not obstruct the trial in any manner or influence the witnesses, whose statement is yet to be recorded and in case of default of the above undertaking, the 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.

November 27, 2020

(HARSIMRAN SINGH SETHI)

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JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No