

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

-:-

CRM-M-39466-2020

Date of decision : 16.12.2020.

PRINCE @ DHANNU

.....Petitioner

Vs.

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. K.D.S. Hooda, Advocate for the petitioner.

Ms. Dimple Jain, AAG, 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.479 dated 11.08.2020 under Sections 395, 387, 325, 506, 120-B of the Indian Penal Code, 1860 registered at Police Station, City Hansi, District Hisar.

Learned counsel for the petitioner would contend that the petitioner has been falsely implicated in the present petition as he is married to the niece of the aunt of the complainant who was against the marriage and hence has falsely implicated him in the present case. He further contends that as per the status report which has been filed by the State, the petitioner is not seen in the CCTV footage of the incident at the place of the occurrence where the accused are alleged to have gathered and planned the attack.

A status report has been sent to the VC Co-ordinator of the court which is printed and retained on the record. Learned State counsel

refers to the reply dated 14.12.2020 filed by way of affidavit of Vinod Shanker, HPS, Deputy Superintendent of Police, Hansi to contend that one gold chain and an amount of Rs.1,000/- has been recovered from the petitioner herein. It is further stated that challan has been presented. The learned state counsel is, however, not in a position to deny the fact that in paragraph 8 of the status report it has been mentioned that the petitioner is not seen in the CCTV footage of the incident at the place of the occurrence where the other accused are alleged to have gathered and planned the attack. However, the other co-accused are seen in the said footage. State counsel further states that there is one more FIR registered against the petitioner under Sections 323 and 506 IPC in which the petitioner is on bail.

I have heard learned counsel for the parties.

In the present case the petitioner, even as per the status report filed by the State, is not seen in the CCTV footage of the incident and even a perusal of the confessional statements of the co-accused which have been appended with the petition reveals that there is no allegation that the petitioner has received any amount which is alleged to have been snatched.

Without commenting on the merits of the case and keeping in view the fact that challan has been presented and the trial is unlikely to conclude in the near future in view of the current scenario in the wake of the outbreak of the COVID-19 pandemic, I deem this to be a fit case to direct the release of the petitioner on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Trial Court/Duty Magistrate 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. However, the Prosecution shall always be at liberty to get the bail cancelled in case the petitioner is found to be misusing the concession of bail in any manner.

Disposed off, accordingly.

December 16, 2020
kv

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Yes/No
 Whether reportable: Yes/No