

220-2

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

**CRM-M-39678-2020 (O&M)
Date of decision : 21.12.2020**

Ashu

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Sushil Kumar Verma, 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.524 dated 19.08.2019 under Sections 323, 324, 341, 34 of the Indian Penal Code, 1860 (Section 326 IPC was added later on), registered at Police Station City Sirsa, District Sirsa (Haryana).

Learned counsel for the petitioner would contend that the petitioner was not named in the FIR and was nominated on the statement of co-accused, Ajay @ Ajju. It is further the contention of learned counsel for the petitioner that no role or injury has been attributed to the petitioner and further that no recovery had been made from the present petitioner.

Learned counsel for the State, on instructions from

ASI Mukesh Kumar, has stated that there is no injury which has been

attributed to the present petitioner and there is no other case pending against him.

In view of the above and considering the fact that the challan has been present in the present case and the trial is likely to take some time to conclude especially in view of the prevailing conditions on account of COVID-19 pandemic, no useful purpose would be served by keeping the present petitioner behind the bars any longer. Without commenting upon the merits of the case, I deem this to be a fit case to grant the concession 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.

However, the Prosecution will always be at liberty to apply for cancellation of bail in case the petitioner is found to be misusing the concession of bail in any manner.

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.

21.12.2020
Yogesh Sharma

(ALKA SARIN)
JUDGE

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