

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

226

CRM-M No.40802 of 2020

Date of Decision: December 15, 2020

Deepak @ Manjesh

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR JUSTICE SUDIP AHLUWALIA

Present: Mr. Gaurav Sethi, Advocate for the petitioner.

Mr. Vishal Malik, DAG, Haryana.

SUDIP AHLUWALIA, J. (Oral)

Case has been taken up through video conferencing in view of the outbreak of Pandemic COVID-19.

2. The present petition has been filed under Section 439 Cr.P.C. for grant of Regular Bail to the petitioner in Case FIR No.417 dated 27.06.2019, registered under Sections 302/303/212/387/201/120-B/34 IPC and Sections 25-54-59 of the Arms Act, 1959 at Police Station Sector 7, Faridabad, District Faridabad.

3. The petitioner has remained in detention since 05.07.2019. After completion of investigation, challan has already been filed against him but the charges are yet to be framed.

4. Ld. Counsel for the petitioner has drawn attention of the Court to the

fact that the co-accused-Tek Chand;Raj Kumar @ Raju; Dharamjit @ Kala;Naveen @ Lamba and Pardeep Singh have already been granted bail by this Court. The involvement of the petitioner in the present case is found to the extent that he had supplied the weapon by which deceased-Vikas Chaudhary was shot dead by the co-accused persons. But such material has been collected by investigating agency only through disclosure statements of the co-accused persons viz. Kaushal and Naresh @ Chand.

5. Trial in this case is yet to be commenced inasmuch as even the charges are yet to be framed and not less than 71 witnesses have been cited on behalf of the prosecution side.

6. In such circumstances, without commenting further on the merits of the case at this stage, as also the fact that the trial is likely to take its own considerable time due to ongoing Covid-19 Pandemic, this Court is of the opinion that further detention of the petitioner for an indefinite period is not justified. As such, he is ordered to be released on bail, subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

(SUDIP AHLUWALIA)
JUDGE

December 15, 2020
sonia arora

Whether speaking/reasoned :	Yes/No
Whether Reportable :	Yes/No