

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

**218**

**CRM-M No.40920-2020**

**Date of decision:14.12.2020**

Navin @ Naveen @ Chela

... Petitioner

Vs.

State of Haryana

... Respondent

**CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Mr. Yashveer Kharb, Advocate for the petitioner.

Mr. Vishal Malik, DAG, Haryana.

**SUVIR SEHGAL J. (ORAL)**

The Court has been convened through video conferencing due to Covid-19 pandemic.

Petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.239, dated 31.07.2020 registered under Sections 147, 148, 149, 323, 325, 341, 342 and 427 of the Indian Penal Code, 1860 (Section 186, 353 and 364 of IPC were added later on ) at Police Station Badshahpur, District Gurugram.

Counsel for the petitioner has argued that the petitioner has been falsely implicated in the FIR. He submits that case of the petitioner is at par with that of co-accused, who have been granted the concession

of regular bail by this court vide order dated 08.10.2020 passed in CRM-M-31091-2020, **Anesh Vs. State of Haryana** and order dated 26.11.2020 passed in CRM-M-37624-2020, **Monu Vs. State of Haryana**, Annexures P-2 and P-3, respectively. Counsel for the petitioner submits that the petitioner is in custody since 06.08.2020 and due to outbreak of pandemic the trial is not progressing, therefore, the petitioner deserves to be released on bail.

Per contra, State counsel, upon instructions from SI Sultan Singh submits that the petitioner along with other accused caused injuries on the complainant and the recovery of motorcycle was effected from the petitioner. He submits that there are total 16 accused and proceedings under Section 82 of Code of Criminal Procedure have been initiated for declaring 10 accused as proclaimed offenders. He has instructions to state that challan has been presented on 04.09.2020 and the charge is yet to be framed.

I have considered the rival submissions of the parties.

Keeping in view the above facts and circumstances, period of incarceration of the petitioner, nature of allegations, gravity of offence and orders dated 08.10.2020 and 26.11.2020 cited (*supra*) and the fact that the trial is likely to consume time due to spread of contagion, no useful purpose would be served by keeping the petitioner behind the bars any further.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty

Magistrate.

It is clarified that any observation made hereinabove shall not be construed to be a reflection of opinion on the merits of the case.

14.12.2020  
pooja saini

(SUVIR SEHGAL)  
JUDGE

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No