

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

CRM-11346-2020 in/&
CRM-M-50620-2019
Date of decision: 27.05.2020

Raju

.... Petitioner

versus

State of Haryana

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Suresh K. Kaushik, Advocate
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

Manjari Nehru Kaul, J.

Due to the outbreak of Covid-19 pandemic, the case is taken up
for hearing through video conferencing.

CRM-11346-2020

This is an application for preponing the date of hearing to an
early date.

After hearing learned counsel for the petitioner, application is
allowed and the main case is taken up for hearing today itself.

Main case

Instant petition has been filed under Section 439 Cr.PC for
grant of regular bail to the petitioner in case FIR No.261 dated 07.08.2012
registered under Sections 302, 120-B and 34 IPC and Sections 25,54 and 59
of Arms Act, 1959 at Police Station Sadar Sohana, District Gurugram.

Learned counsel for the petitioner contends that the petitioner
has been falsely implicated in the present case and his name figured only in

the confession made by co-accused Raju @ Rizwan while in police custody, which is inadmissible in law. It has further been contended that the FIR pertains to the year 2012 and the role attributed to him was that he had arranged a vehicle for the hired assassin. Learned counsel submits that the petitioner is in the judicial custody since 30.03.2019.

Learned counsel for the State, on the other hand, while opposing the prayer and submissions made by learned counsel for the petitioner has not been able to controvert the fact that his name cropped up in the confession made by the co-accused before the police. He further submits that only 4 out of 37 prosecution witnesses have been examined till date.

Heard.

Having considered the submissions made by either side and the fact that the petitioner has been behind bars since 30.03.2019, this Court does not find any reason to decline the prayer of the petitioner for grant of regular bail. It is unlikely that the trial would conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

27.05.2020
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/non-speaking?	Yes
Whether reportable?	No