

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

210

CRM-M-54052-2019

Date of decision : 18.08.2020

Deepak Verma

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. S.K., Rana, Advocate
for the petitioner.

Mr. Dhruv Sheoran, Deputy Advocate General, 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.93, dated 11.08.2019 registered under Sections 379-B, 34 of IPC at GRP Police Station, Faridabad.

Counsel for the petitioner has argued that a false case has been registered against the petitioner in which he was arrested on 12.08.2019. According to him, there is 4 days' delay in lodging the FIR and a perusal of the FIR shows that no offence is made out. He submits that though the challan has been filed and the charges have been framed but the prosecution evidence is yet to start. He has relied upon the order dated 08.06.2020 whereby learned Additional Sessions Judge, Palwal granted regular bail to the co-accused-Vikram. He contends that his case is at par with that of co-accused, Vikram.

Opposing the petition, learned State counsel upon instructions from ASI Chander Pal submits that the petitioner was the driver of the three wheeler and he alongwith co-accused Vikram on some pretext asked the complainant get down from the three wheeler. Thereafter they slap the complainant, snatched two mobiles and his purse from him. As per his instructions, the challan was filed on 16.09.2019 and the charges were framed on 17.01.2020. He could not dispute the fact that out of the 07 prosecution witnesses, none has been examined till date.

I have considered the rival submissions.

Considering the period of incarceration of the petitioner and the fact that the trial is likely to take time to conclude in view of the prevailing situation due to out break of Corona Virus (Covid -19), no useful purpose will be served by keeping the petitioner in further detention. Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate.

18.08.2020

anju

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No