

**227 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-597-2021
Decided on : 12.01.2021

Itwari

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Shashikant Gupta, Advocate
for the petitioner.

Mr. Rajiv Goel, DAG, Haryana.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.345 dated 04.11.2020 registered under Sections 379-A/34 IPC,1860 at Police Station Sadar Narnaul District Mahendergarh.

Learned counsel for the petitioner inter alia contends that a perusal of the FIR in question clearly reveals that allegations levelled against the petitioner is that he was just standing next to the motorcycle, parked outside the shop of the complainant when the co-accused went inside and snatched the gold chain of the complainant. Learned counsel has submitted that he has been in custody since 04.11.2020 and only challan has been presented till date. Hence, there is no likelihood of the trial concluding in the near future therefore he prays that he be extended the concession of regular bail as offence under Section 379-A is triable by the Magistrate and he is not involved in any other criminal case.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner has not been able to controvert the factual aspect of the submissions made by learned counsel for the petitioner. He on instructions from ASI Sarika has submitted that the charges likely to be framed in the near future.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 04.11.2020, the trial is unlikely to 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.

(MANJARI NEHRU KAUL)
JUDGE

12.01.2021

sonia

Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No