

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

CRM-M-3264-2021
Decided on : 29.01.2021

Jaspreet @ Rohit Sethi

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Vikram Singh, 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.331 dated 29.06.2020 registered under Sections 148, 149, 323, 324, 506 IPC, 1860 (Sections 325, 307 IPC and Sections 3(1)(s), 3(2)(v), (va), SC/ST (Prevention of Atrocities) Act 1989 added later on) at Police Station Shahabad District Kurukshetra.

Learned counsel for the petitioner inter alia contends that the false implication of the petitioner is writ large from the fact that he was nominated as an accused in the crime in question in the supplementary statement of the injured, which was recorded after two months of the alleged crime. It has further been submitted that even in the supplementary statement no specific attribution has been made qua the petitioner in the occurrence in question. The petitioner has been in custody since 19.10.2020 and only challan has been presented till date. Hence, there is no likelihood of trial concluding in the near future and a prayer has been made that the

petitioner may be extended the concession of regular bail as similarly situated co-accused Charanjot @ Jot has been granted regular bail vide order dated 07.01.2021.

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 Omparkash has admitted that the petitioner has been arrayed as an accused after 2½ months of the occurrence in question and no injury has been attributed to him the alleged occurrence.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 19.10.2020, 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

29.01.2021

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No