

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM No.M-7405 of 2021

Date of Decision: 24.02.2021

Krishan alias Bhandari

... Petitioner

Versus

The State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

Present: Mr. Dharamvir Sharma, Advocate,
for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

MANJARI NEHRU KAUL, J.

The instant petition has been filed under Section 439 read with Section 482 of Criminal Procedure Code, 1973 for grant of regular bail to the petitioner in case FIR No.261, dated 07.08.2012, under Sections 302, 120-B & 34 of Indian Penal Code, 1860 and under Section 25-54-59 of the Arms Act, 1959, registered at Police Station Sadar Sohna, District Gurugram, Haryana.

Learned counsel for the petitioner contends that false case has been imposed upon the petitioner which is evident from the fact that neither he was named in the FIR in question which was registered on the statement of Jai Singh, brother of the deceased, who allegedly was an eye witness nor was there any cogent evidence on record to connect the petitioner with the alleged crime. Learned counsel further contends that the occurrence pertains to the year 2012 and the petitioner was arrested as recently as on 11.07.2020 on the basis of supplementary challan wherein it has been alleged that the motor cycle used in the crime was provided to the co-accused by him.

Per contra, learned State counsel while opposing the prayer for

grant of regular bail has not been able to controvert the factual aspect of the statements made by the learned counsel for the petitioner with respect to the role allegedly played by him in the crime in question.

Heard.

In view of the submissions made by learned counsel for the parties, I deem it a fit case for grant of the concession of regular bail to the petitioner, as the trial is unlikely to conclude in the near future, more so, in the prevailing conditions due to the outbreak of COVID-19. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of 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

24.02.2021
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No