

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

CRM-M-8066-2021 (O&M)

Date of decision : 02.03.2021

Naveen Rana and another

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Sanjeev Kadian, Advocate for the petitioners.

Mr. Gaurav Gulzar Singh Chauhan, AAG, Haryana.

ALKA SARIN, J. (ORAL)

Heard through physical hearing.

This is the second petition filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioners in FIR No.616 dated 23.08.2020 under Sections 420, 467, 468, 471 and 120-B of the Indian Penal Code, 1860 registered at Police Station HTM Hisar, District Hisar.

Learned counsel for the petitioners would contend that the allegation against the petitioners is that they were involved in making jammer I-Cards in order to help the candidates in solving PTI Examination. The petitioners have now been in custody for over a period of six months and they are not involved in any other criminal case. He would further contend that the similarly situated co-accused has been granted regular bail by this Court vide order dated 16.02.2021 passed in CRM-M No.6121 of 2021.

Learned counsel for the State on instructions from Mr. Sukhjeet Singh states that the petitioners have been involved in making the jammer I-Cards and that it was a group of people who were operating together in order to help the candidates in solving the PTI Examination. He further states that there is no other criminal case pending against the petitioners and the challan already stands presented in the present case. He, however, is not in a position to deny the fact that similarly situated co-accused has already been granted bail by this Court vide order dated 16.02.2021 passed in CRM-M No.6121 of 2021.

Heard learned counsel for the parties.

In view of the above and keeping in view the facts that the similarly situated co-accused has already been granted bail by this Court vide order dated 16.02.2021 passed in CRM-M No.6121 of 2021 and that the petitioners have been in custody for over a period of six months and they are not involved in any other criminal case and that trial is likely to take some time to conclude especially in view of the prevailing conditions on account of COVID-19 pandemic, without commenting upon the merits of the case, I deem this to be a fit case to grant the concession of regular bail to the petitioners. The petitioners are directed to be released on bail subject to their furnishing bail bonds/surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate/Trial Court concerned.

However, the Prosecution will always be at liberty to apply for cancellation of bail in case the petitioners are found to be misusing the concession of bail in any manner.

It is made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

Disposed off.

02.03.2021
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO