

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

207

**CRM-M-9297-2021
Decided on : 16.03.2021**

Abhay Raj @ Jaggu

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Vimal Kumar Gupta, Advocate
for the petitioner(s).

Mr. Rajiv Goel, DAG, Haryana
assisted by ASI Ramesh.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 43, dated 04.02.2020, under Section 406, 420, 467, 468, 471, 506, 120-B, 201 IPC, registered at Police Station Ambala Cantt., District Ambala.

Learned counsel for the petitioner *inter alia* contends that the petitioner, who has been in custody since 12th May, 2020, has been falsely implicated in the case in hand, as neither was he named in the FIR in question nor any specific role attributed to him. Learned counsel submits that the name of the petitioner was nominated as an accused on the basis of disclosure statement of co-accused Kapil, who has since been extended the concession of regular bail.

Learned counsel for the petitioner further submits that only final report under Section 173 Cr.P.C. has been presented so far and the

charges are yet to be framed in the case in hand. Moreover, all the offences are triable by Magistrate.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, has submitted that Rs.5,07,000/-, was deposited in the account of the petitioner and he had been fabricating fake documents including Aadhar Cards, Pan Cards, Voter ID Cards etc., which were then misused by him in the alleged crime. He has, however, submitted that the charges are likely to be framed in the near future and the delay has been on account of the outbreak of pandemic COVID-19.

Heard.

In view of the submissions made by learned counsel for the parties and keeping in view the fact that the petitioner has been in custody since 12th May, 2020 for offences triable by Magistrate, 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 as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

March 16, 2021

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*