

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

CRM-M-13138-2021
Decided on : 26.03.2021

Pardeep Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sunil Chaudhary, Advocate
for the petitioner.

Ms. Tanushree Gupta, 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.528 dated 05.11.2020 registered under Sections 272, 420, 467, 468, 471 IPC, 1860 and Section 61-4-2020 of The Punjab Excise Act, 1914 at Police Station Kharkhoda District Sonipat.

Learned counsel for the petitioner inter alia contends that the petitioner has been nominated as an accused on the basis of disclosure statement made by co-accused Mohit and admittedly no recovery was effected from him, which lends credence to his false implication in the FIR in question. Learned counsel thus, submits that the evidence on which the petitioner is sought to be nominated as an accused is of weak nature. The petitioner has been in custody since 12.11.2020 and there is no likelihood of the trial concluding in the near future as charges are yet to be framed. He also submits that similarly situated co-accused namely Mohit, Kishoer Jha and Sandeep have since been extended the concession of bail by this Court

vide orders dated 04.03.2021 and 24.03.2021 respectively.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner on instructions from SI Pawan submits that charges are likely to be framed in the near future. She however, has not been able to controvert the fact that no recovery was effected from the petitioner.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 12.11.2020, 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

26.03.2021

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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No