

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

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CRM-M-9789-2020 (O&M)

Date of Decision: 19.04.2021

ARJUN SINGH

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Sandeep Singh Jattan, Advocate for the petitioner.

Mr. Dhruv Sheoran, D.A.G., Haryana.

HARNARESH SINGH GILL, J.(Oral)

Case is taken up for hearing through video conferencing.

Status report by way of an affidavit dated 19.03.2021 of the Deputy Superintendent of Police, Shahabad, Kurukshetra, filed in the Registry, is taken on record.

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.676 dated 30.12.2018 registered at Police Station Shahabad, District Kurukshetra, under Sections 307, 34, 506 and 120-B IPC and Sections 25, 54 and 59 of the Arms Act.

Learned counsel for the petitioner contends that the petitioner was not named in the FIR and was indicted on the basis of the disclosure statement; that the petitioner has been in custody since 03.05.2019; that the complainant- Rajesh Kumar @ Babla, during his testimony before the trial Court, has turned hostile and that co-accused, namely, Simranjeet and Amit Malik @ Sagar, have already been granted bail by a Coordinate Bench of this Court on 31.01.2020 and Pankaj by this Court on 20.05.2020.

Learned State counsel, while opposing the prayer for grant of regular bail to the petitioner, has not disputed the factum of custody period of the petitioner. He, however, submits that the petitioner is also involved in as many as six other cases out of which he has already been acquitted in one and remaining five are still pending in which petitioner is on bail. He further states that out of 35 prosecution witnesses, 28 have already been examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 03.05.2019. Complainant-Rajesh Kumar @ Babla has turned hostile. Co-accused have already been granted bail. Further, keeping in view the prevailing situation of Covid-19 pandemic, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bar.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

19.04.2021

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>