

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

**CRM-M-16678-2021
Date of decision-27.04.2021**

Bhuri @ Samay Singh**....Petitioner****Vs.****State of Haryana****...Respondent****CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Rakesh Gupta, Advocate for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.273 dated 19.10.2019 registered under Sections 379-A, 506 and 34 Indian Penal Code, 1860 and Section 25 Arms Act, 1959 (Section 379-A IPC deleted and Section 394 IPC added later on) at Police Station Hassanpur, District Palwal. The petitioner is in custody since his arrest on 18.11.2019.

The FIR was registered on the statement of Girraj Singh and the allegations as noticed by the learned Additional Sessions Judge, Palwal in the order dated 02.04.2021 are as under:

“This case was registered on the complaint of Sh.Girraj dated 19.10.2019. It was stated by him that he deals in insurance and on that day, at around 01.00 PM, he and his colleague Deepak son of Yashpal were present in their office. His friend Khem Chand son of Jagram resident of Village Likhi was also in their office. In the meanwhile, three youths having pistols came there. The assailants looted Rs.3 Lacs from his cash box and also snatched the mobile phone from him, Deepak and Khem Chand. The assailants threatened them by showing

weapons. The assailants confined them in their office and fled from there. When they raised alarm, some neighbours opened the door and they came out and narrated the occurrence to their neighbours.”

Learned counsel for the petitioner has argued that the charges against the petitioner were framed on 29.01.2020, but till date only one prosecution witness has been examined out of total thirteen witnesses. He submits that the trial is likely to consume considerable time, therefore, he prays for bail.

On the other hand, learned State counsel assisted by ASI Aas Mohd. has opposed the prayer on the ground that the petitioner along with his accomplices entered into office of the complainant and committed the crime, however, it is not disputed by him that out of total 13 prosecution witnesses only complainant, Girraj Singh has been examined as PW-1.

At this stage, learned counsel for the petitioner has invited the attention of the Court to the statement of complainant (PW-1) to contend that the deposition of the witnesses is at variance from the allegations made by him in the FIR. He submits that the trial is at the initial stage and will take considerable time to conclude.

At this stage, learned State counsel has pointed out that the accomplices of the petitioner are yet to be arrested and the P.O proceedings are pending against them.

Considering the above background and the fact that the material witness has been examined and as the trial is likely to take considerable time to conclude, therefore, further detention of the petitioner behind the bars may not be necessary. The remaining witnesses

are either the officials of LIC or police officials and there does not seem to be any possibility of their being won over. Apart from it, the belligerent re-emergence of pandemic COVID-19 in the region has once again forced the state Governments of Punjab, Haryana and U.T. Administration, Chandigarh to impose various restrictions to clamp down the contagion, and it would further delay the conclusion of trial.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

27.04.2021

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