

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.18556 of 2021 (O&M)

Date of Decision:20.05.2021

(Heard through VC)

Uttam Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Rahul Sharma, Advocate
for the petitioner.

Mr. Vishal Kashyap, AAG, Haryana.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in FIR No.294 dated 31.12.2020 registered under Sections 395, 397, 412, 201 IPC and Section 25 of the Arms Act at Police Station Mundkati, District Palwal.

Counsel for the petitioner herein would contend that as per the FIR, six persons in a santro car waylaid the vehicle of the complainant and looted three mobiles along with cash. However, in fact, the petitioner was not one of those six persons, who had committed the said offence. He has been named as an accused on the basis of a disclosure statement of one of the three arrested persons. It is also argued that only allegations against him are that he took the stolen vehicle and handed it over to one Yusuf, who has already been allowed regular bail. It is also contended that the matter stands investigated and the challan has already been presented.

Learned counsel for the respondent-State opposes grant of

regular bail to the petitioner by contending that the petitioner has been nominated in the case on the basis of a disclosure made by one of the co-accused but he is not in a position to dispute the fact that the matter stands investigated.

I have heard learned counsel for the parties. Keeping in view the fact that the matter stands investigated and the trial is likely to take some time to conclude owing to present COVID-19 pandemic situation, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

May 20, 2021
Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No