

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

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**CRM-M-23309-2021
Decided on : 30.06.2021**

Vikas

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Pankaj Bali, Advocate
for the petitioner(s).

Ms. Vibha Tiwari, AAG, Haryana
assisted by SHO Jitender.

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. 71, dated 11.02.2021, under Sections 25, 54, 59 of the Arms Act and Sections 148, 149, 307, 354, 427, 436, 506 IPC and Sections 3(1)(s), 3(1)(w), 3(2)(iii), 3(2)(iv), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amendment 2015), registered at Police Station Sector 32-33, Karnal, District Karnal.

Learned counsel for the petitioner submits that the petitioner was neither named in the FIR in question nor any role attributed to him in the alleged crime. Learned counsel further submits that the petitioner was nominated as an accused on the basis of disclosure statement made by other co-accused persons. It has been submitted that the evidentiary value of such disclosure statement is of a weak nature. He has also submitted that similarly situated co-accused have since been extended the concession of

bail by this Court vide orders dated 20.04.2021, 25.05.2021 and 27.05.2021 respectively (annexed as Annexures P-3 to P-5). He thus prays for grant of the concession of bail, as the petitioner has been in custody since 16.02.2021 and only chalan has been presented till date.

Per contra, learned State counsel has opposed the prayer and submissions made by learned counsel for the petitioner. She has, however, not been able to controvert the factual aspect of the submissions so made by learned counsel for the petitioner. Leaned State counsel has very fairly conceded that the petitioner's case is at parity with those of the co-accused, who have since been extended the concession of bail.

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 16.02.2021, 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 to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

June 30, 2021

J.Ram

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