

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

CRM-M-24948-2021 (O&M)

Date of decision: 08.07.2021

Sikander Singh @ Goru

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Dheeraj Narula, Advocate for the petitioner.

Mr. Pardeep Prakash Chahar, DAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner has filed this second petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 229 dated 01.08.2020, registered under Section 379-A IPC, at Police Station Civil Lines Sirsa, District Sirsa, the first one having been dismissed as withdrawn vide order dated 23.11.2020 passed by a Coordinate Bench.

Learned counsel for the petitioner submits that initially, the FIR was registered against two unknown persons. The petitioner has falsely been implicated in the present case, on the basis of the recovery of the motorcycle used in committing the crime, from the petitioner. The mobile phone of the

daughter of the complainant has already been recovered from co-accused Sandeep. There is no other case against the petitioner. The petitioner has been in custody since 03.08.2020. Challan stands presented, but the charge is yet to be framed.

Learned State counsel, while vehemently opposing the prayer for bail, submits that as the petitioner has actively participated in the crime, he is not entitled to the grant of regular bail. He, however, does not dispute the custody period of the petitioner and there being no other case against the petitioner.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 03.08.2020. Challan stands presented, but the charge is yet to be framed. The trial would take time to conclude, especially due to prevailing situation of Covid-19. There is no other case against the petitioner. No useful purpose would be served by keeping the petitioner behind the bars.

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

(HARNARESH SINGH GILL)
JUDGE

08.07.2021
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No