

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208)

CRM-M-22847 of 2020

Date of Decision: 09.02.2021

Vikram Kumar @ Vicky

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Dr. Anand Kumar Bishnoi, Advocate, for the petitioner.
Mr. Surender Singh, AAG, Haryana.

Amol Rattan Singh, J. (Oral)

Case heard by video conference.

By this petition, filed under the provisions of Section 439 of the Cr.P.C, the petitioner seeks the concession of 'regular bail, upon FIR no.238, dated 15.10.2016, having been registered at Police Station Adampur, District Hisar, alleging therein the commission of offences punishable under Sections 302, 452, 148, 149, 506 and 120-B of the IPC and Section 25(54) of the Arms Act, 1959.

Learned counsel for the petitioner submits that though the petitioner has been named in the FIR, he was found to be innocent even as per the report of the DSP but subsequently he was held to be an accused by another DSP and was thereafter arrested and has been in custody since 28.02.2019, but with the trial still to commence effectively.

Learned State counsel, on instructions from SI Jagjeet Singh, does not deny the aforesaid position but submits that 5 co-accused of the petitioner have already been convicted, though three have been acquitted. As regards the stage of trial, he submits that no prosecution witness has been examined so far, with there being no other criminal case registered against

him.

That being so, without making any comment on the merits of the case, looking at the period of the custody of the petitioner (since February 2019) and the fact that trial has to still commence effectively, the present petition is allowed, with the petitioner ordered to be admitted to bail, upon his furnishing adequate bail and surety bonds to the satisfaction of the learned trial court/CJM/Duty Magistrate concerned.

09.02.2021
vcgarg

(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No