

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

108+222

CRM-M No.28830 of 2021 (O&M)
Date of Decision: August 02, 2021

Rajbir

.....Applicant/Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Ankur Malik, Advocate for the applicant/petitioner.

Mr. Bhupender Singh, DAG, Haryana.

SUDIP AHLUWALIA J. (ORAL)

CRM No.23066 of 2021

This is an application under Section 482 Cr.P.C. for seeking permission to amend the petition.

For the reasons mentioned in the application, the petitioner is permitted to amend the Original Petition by making appropriate averments in Para 14 thereof, for which he had already been granted permission by the Co-Ordinate Bench of this Court on 28.07.2021.

The Amended Petition be accepted on record.

Application stands disposed off.

CRM-M No.28830 of 2021

The instant Petition has been filed under Section 439 of the Code of Criminal Procedure seeking Regular Bail on behalf of the Petitioner in case FIR

No.354, dated 13.09.2020 registered under Sections 379-A, 341, 506 read with Section 34 of IPC, 1860 at Police Station Rohtak Sadar, District Rohtak.

2. The petitioner has been remained in detention for nearly 08 months, since his arrest on 11.12.2021.

3. Ld. Counsel for the petitioner has drawn attention of this Court to the FIR (Annexure P-1) in which identity of none of the culprits was mentioned by the complainant. In the meantime, investigation has already been completed and challan has been filed.

4. In answer to the specific query of the Court, Ld. State Counsel has intimated that even during investigation, no identification parade of the petitioner was got done and that his complicity/involvement has transpired only on the basis of disclosure statement of the co-accused.

5. The trial is yet to commence and no charges have been framed so far.

6. In the circumstances, without commenting upon the other merits of the case and keeping in view the fact that the trial is likely to take a considerable time to conclude in view of the on-going Covid-19 Pandemic, at this stage, this Court is of the opinion that further detention of the Petitioner for an indefinite period is not justified. As such, he is ordered to be released on bail subject to the satisfaction of the Ld. Trial Court/Duty Magistrate concerned.

7. Disposed off.

(SUDIP AHLUWALIA)
JUDGE

August 02, 2021
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Whether speaking/reasoned: Yes/No.
Whether reportable: Yes/No