

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

212

**CRM-M-32906-2020(O&M)
Decided on : 28.01.2021**

MANISH

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. B.S. Mamli, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG Haryana
assisted by SI Kuldeep.

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.0078, dated 25.05.2020 under Sections 379-A and 34 of the Indian Penal Code, 1860, registered at Police Station Bhattu Kalan, District Fatehabad.

The learned counsel for the petitioner contends that the petitioner has been in custody since 25.05.2020 and only challan has been presented as on date. Hence, there is no likelihood of the trial concluding any time in the near future. Learned counsel further submits that the petitioner has been falsely implicated in the instant case on account of personal grudge which the complainant was nursing against him. It has been further submitted that similarly situated co-accused Munish Kumar has been extended the concession of regular bail by this Court on 12.01.2021.

Per contra, learned State counsel while opposing the prayer and submissions made by the learned counsel for the petitioner on instructions from SI Kuldeep has not been able to dispute the factum of the

petitioner being on the same footing as Munish, who has been extended the concession of regular bail by this Court on 12.01.2021.

Heard.

In view of the submissions made by learned counsel for the parties, 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 as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

January 28, 2021

S.Sharma(syr)

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*