

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

**CRM-M No.33686 of 202 (O&M)
Decided on: 10.02.2021**

Ajruddin

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. D.S. Virk, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this 2nd petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.15 dated 18.01.2019, for offence punishable under Sections 395, 397, 201 of the Indian Penal Code, 1860 (in short 'IPC') and 25 of the Arms Act, registered at Police Station Chhainsa, District Faridabad.

The earlier one was dismissed as withdrawn on 04.03.2020.

Counsel for the petitioner has submitted that the petitioner is in custody since 23.05.2019 and despite a lapse of 01 year, no PW has been examined due to COVID-19 situation. It is further submitted that as per the allegations in the FIR, a cash amount was looted from an ATM machine of Muthoot Finance Company. It is also submitted that the petitioner was named on the basis of the disclosure statement of the co-accused Sameem. Counsel for the petitioner has, lastly, submitted that it will be a matter of trial, whether the disclosure statement of the

co-accused is admissible against the petitioner or not.

Counsel for the State has filed the Custody Certificate today in the Court and as per the Custody Certificate, the petitioner is in custody for the last 01 year and 08 months and he is shown to be involved in 03 more FIRs though, he is on bail in the said cases. Counsel for the State has also not disputed the fact that the material witnesses have already been examined.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody for the last 01 year and 08 months; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time due to COVID-19 situation, this petition is partly allowed and the petitioner is directed to be released on interim bail till 10.06.2021 subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

However, the trial Court, after assessing the situation, if the trial has not started in ordinary course and the evidence is recorded, may cancel or may continue the interim bail granted to the petitioner till further orders.

(ARVIND SINGH SANGWAN)
JUDGE

10.02.2021

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Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No