

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

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**CRM-M No. 39404 of 2021
Date of decision :28.09.2021**

Parveen @ Bijli

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Sanjeev Bishnoi, Advocate for the petitioner.

Mr. Pardeep Prakash Chahar, DAG, Haryana.

Mr. Shiv Kumar Bishnoi, Advocate for the complainant.

HARNARESH SINGH GILL, J.

Prayer in this petition is for grant of regular bail in case FIR No. 385 dated 17.08.2020 registered under Section 25 of Arms Act, 1959 and Sections 379-B, 392, 397 and 506 IPC (Sections 395, 412, 112 and 120-B IPC added later on) at Police Station Gohana City, District Sonipat.

Learned counsel for the petitioner states that the petitioner has been falsely in the present case on the basis of disclosure statement of co-accused Ajay and Sunil @ Sonu. It has further pointed out that the compromise has been effected between the parties on 11.05.2021. The petitioner has been in custody since 21.09.2020. The two witnesses PW1 and PW2 namely Deepak Kumar and Anil were turned hostile.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel has stated that there are serious allegations against the petitioner in the present case who looted the complainant of Rs. 7 lacs on pistol point. The recovery of Rs. 1.69 lac has already been effected. Out of 18 prosecution witnesses, 4 witnesses have already been examined. Learned counsel for the complainant has not

disputed the factum of compromise.

I have heard the learned counsel for the parties.

It is the case in which the two prosecution witnesses i.e. complainant and his brother have turned hostile. The compromise has been effected between the parties. The prosecution witnesses are yet to be examined. The petitioner has been in custody since 21.09.2020. No useful purpose would be served by keeping the petitioner behind the bars. Further, keeping in view the prevailing situation of Covid-19 pandemic, the trial is unlikely to conclude any time soon.

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

28.09.2021

Rajeev (rvs)

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No