

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

CRM-M No.34591 of 2020

Date of Decision: 26.02.2021

Firoj Khan alias Foji

...Petitioner

Versus

State of Haryana

....Respondent

CORAM :- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present:- Mr. M.D. Khan, Advocate
for the petitioner.

Ms. Tanushree Gupta, D.A.G., Haryana.

Manjari Nehru Kaul, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner, in case FIR No.154 dated 08.07.2020 registered under Sections 307, 392 of IPC and 25 of the Arms Act (later added Sections 397 and 120-B IPC) at Police Station Chhachhrauli, District Yamuna Nagar.

Learned counsel for the petitioner submits that the petitioner who has been in custody since 14.07.2020 has been falsely implicated on the allegations that he along with other accused snatched the mobile phone of the complainant on gun point along with Rs.1,85,000/- out of which Rs.10,000/- came to his share. It has further been submitted that the petitioner was not named in the FIR and it was on account of previous enmity between the parties, he had been implicated in the case.

Per contra, learned State counsel while opposing the grant of

regular bail to the petitioner, on instructions from ASI Jagdeep Singh, has submitted that the challan has been presented in the case on 06.10.2020 and the charges were framed on 13.01.2021. She further submits that one more case i.e FIR No.53 of 2020 registered under Sections 148, 149, 323, 308, 324, 326, 506 IPC at Police Station Chhachhrauli is pending against the petitioner.

Learned counsel for the petitioner submits that the said FIR under Section 308 IPC has been quashed on the basis of compromise by this Court.

Heard.

Keeping in view the fact that the petitioner has been in custody since 14.07.2020 and due to the outbreak of the pandemic Covid-19, the trial is unlikely to conclude in the near future, I deem it a fit case to grant the concession of regular bail to the petitioner. Therefore, without expressing anything on the merits of the case, the instant petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the trial Court/Duty Magistrate concerned.

(MANJARI NEHRU KAUL)
JUDGE

February 26, 2021
gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No