

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

CRM-M No.35321 of 2020 (O&M)

Date of Decision: 26.02.2021

Sahil alias Bhura

...Petitioner

Versus

State of Haryana

....Respondent

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

Present:- Mr. Vivek Sharma Vats, 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 392, 307 IPC, 1860 and 25 of the Arms Act, 1959 and (Sections 397, 120-B IPC, 1860 added later on) at Police Station Chhachharauli, District Yamuna Nagar.

Learned counsel for the petitioner submits that the petitioner who has been in custody since 22.07.2020 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 been submitted that the petitioner was not named in the FIR and was nominated as an accused on the basis of a disclosure statement of co-accused, the evidentiary value of which is of a weak nature.

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 was presented in the case on 06.10.2020 and the charges were framed on 13.01.2021. She further submits that three more cases of similar nature are pending against the petitioner i.e (i) FIR No.32 of 2018 registered under Sections 148, 149, 323, 324, 326, 341, 427, 506 IPC (ii) FIR No.102 of 2020 registered under Sections 148, 149, 323, 452, 506 IPC and (iii) FIR No.157 of 2020 registered under Section 25 of the Arms Act at Police Station Chhachhrauli.

Heard.

Keeping in view the fact that the petitioner has been in custody since 22.07.2020 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