

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

209

**CRM-M-35691-2020 (O&M)
Date of decision: 24.02.2021**

Parveen Dagar @ P.K.

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Prashant Singh Chauhan, Advocate
for the petitioner.

Mr. Ranvir Singh Arya, Addl. A.G., Haryana
for the respondent-State.

ARUN KUMAR TYAGI, J (ORAL)

(The case has been taken up for hearing through video conferencing.)

CRM-27086-2020

For the reasons mentioned in the application, the same is allowed and the petitioner is exempted from filing original power of attorney scanned print out of which is taken on record. Original power of attorney be filed in the Registry within one week.

CRM-2348-2021

The petitioner has filed the present application for preponement of the main case and for placing on record copy of order dated 02.05.2020 vide which co-accused Vaishali has been granted regular bail.

Application is allowed qua prayer for placing on record copy of order dated 02.05.2020 and the same is taken on record as Annexure P-2.

Since the main case is fixed for today application qua for preponement of the case is dismissed as withdrawn.

CRM-M-35691-2020

The petitioner has filed the present (first) petition under

Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.93 dated 06.02.2020 registered under Sections 379B, 342, 506 and 201 read with Section 34 of the Indian Penal Code, 1860 at Police Station Model Town, District Rewari.

The petitioner, who is in custody since 12.09.2020, has filed the present petition for grant of regular bail.

The petition has been opposed by the learned State Counsel. However, no reply has been filed by the respondent-State.

I have heard learned Counsel for the petitioner and learned State Counsel and gone through the relevant record.

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated in the case. As per the allegations made in the FIR, the complainant was forced by Dinesh @ Sunda and Sunny @ Kala under threats to kill to go to their room where the petitioner and his co-accused Vaishali and Milan Patwari were also present and taking liquor. Sunny @ Kala is alleged to have given a blow on his head with an empty wine bottle and Dinesh @ Sunda is alleged to have snatched amount of Rs.1,700/- and mobile phone from his pocket. General and vague allegations of beating have been made against the petitioner. No specific injury has been attributed to him. Injuries caused on the person of the complainant were found to be simple. Co-accused Dinesh @ Sunda and Vaishali have been granted bail by learned Sessions Judge, Rewari vide orders dated 22.02.2021 and 02.05.2020 respectively. The trial is likely to take long time due to restrictions imposed to prevent the spread of Covid-19 and no useful purpose will be served by further detention of the petitioner in custody during trial. Therefore, the petitioner may be granted regular bail.

On the other hand, learned State Counsel has submitted that the petitioner is a habitual offender and is involved in five other cases. In view of nature of accusation and gravity of the offences, the petitioner is not entitled to grant of regular bail. Therefore, the petition may be dismissed.

In reply to submissions of learned State Counsel, learned Counsel for the petitioner has submitted that, the petitioner has been acquitted in one case and he is on bail in other cases.

Keeping in view the facts and circumstances of the case, nature of accusation and evidence against the petitioner, role attributed to the petitioner, parity with co-accused Dinesh @ Sunda and Vaishali and the fact that the trial is likely to take long time due to restrictions imposed to prevent the spread of infection of Covid-19, but without commenting on the merits of the case, I am inclined to extend the concession of regular bail to the petitioner.

In view of the above, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of personal and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

24.02.2021

Vinay

(ARUN KUMAR TYAGI)
JUDGE

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