

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

**CRM-M-37262-2020 (O&M)**

**Date of decision : 25.01.2021**

**SANDEEP**

... Petitioner

Versus

**STATE OF HARYANA**

... Respondent

**CORAM: HON'BLE MRS. JUSTICE ALKA SARIN**

Present: Mr. Roopak Bansal, Advocate for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

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**ALKA SARIN, J. (ORAL)**

Taken up through video conferencing.

This is the first petition under Section 439 of the Code of Criminal Procedure, 1973 for the grant of regular bail in FIR No.179 dated 28.11.2019 under Sections 379-A and 34 of the Indian Penal Code, 1860 registered at Police Station GRP Rewari, District GRP Ambala Cantt.

Learned counsel for the petitioner contends that the petitioner has been in custody since 28.11.2019 and there is no other case of similar nature pending against him. He further contends that the Court of Additional Sessions Judge, Narnaul had dismissed the application for regular bail filed by the petitioner vide order dated 24.09.2020 *inter alia* on the ground that the case was on the stage of defence evidence and is likely to be decided shortly. He further contends that trial of the case has still not concluded.

Notice of motion.

On the asking of the Court, Ms. Dimple Jain, AAG, Haryana has joined the session through video conferencing and accepts notice on behalf of the respondent/State and on instructions from SI Krishan Kumar has stated that there is no other case of similar nature pending against the petitioner. However, there is a case under Section 4/6 of the Rajasthan Noises Control Act, 1963 pending against the petitioner.

In view of the above, without commenting on the merits of the case and keeping in mind that the petitioner has been in custody since 28.11.2019 and that the trial is unlikely to conclude in the near future in view of the current scenario in the wake of the outbreak of the COVID-19 pandemic, I deem this to be a fit case to direct the release of the petitioner on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Trial Court/Duty Magistrate concerned.

However, the Prosecution will always be at liberty to apply for cancellation of bail in case the petitioner is found to be misusing the concession of bail in any manner.

It is also made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

Disposed off.

**January 25, 2021**

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**( ALKA SARIN )  
JUDGE**

**NOTE: Whether speaking/non-speaking: Speaking  
Whether reportable :YES/NO**