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

**CRM-M-37317-2020
Date of decision-25.01.2021**

Lokesh**....Petitioner**

Vs.

State of Haryana**...Respondent****CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Sunny Bhardwaj, Advocate for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.571 dated 10.09.2020 registered under Sections 148, 149, 323, 324, 394 and 341 Indian Penal Code, 1860 at Police Station City Hansi, District Hisar, Haryana. The petitioner is in custody since his arrest on 21.09.2020.

The FIR was registered on the statement of Vijay Yadav son of Rajender Prashad and the allegations as noticed by learned Additional Sessions Judge, Hisar in order dated 28.10.2020 read as under:-

“As per allegations, on 09.09.2020 at around 10.30 PM, complainant Vijay was going to drop his labourers in his car No.HR-21K-4428. When he reached near canal bridge, two boys got stopped the car and thereafter, many others joined them. They attacked with bricks. He suffered injuries on his head and right ear. They also

snatched Rs.2500/- from the complainant. He identified one of them as Annu @ Kapil and later on identified the other assailants as Ajay, Lokesh (petitioner), Vishal and Shipu.”

Learned counsel for the petitioner contends that the complainant got his supplementary statement recorded before the Police and indicted the petitioner as an accused along with others. He submits that during investigation, no weapon was recovered from the petitioner. According to him, investigation of the case is complete and the trial is likely to consume considerable time to conclude, therefore, further custody of the petitioner is not necessary. He prays that the petitioner be released on bail during the pendency of the trial.

On the other hand, learned State counsel assisted by SI Ram Niwas has opposed the prayer, however, it is not disputed by him that the investigation of the case is complete. He on instructions states that the petitioner is not involved in any other case of similar nature. He further states that the final report has been filed before the Court on 17.12.2020, however, charges are yet to be framed.

After hearing the learned counsel for the parties, this Court finds that the investigation of the case is complete, however, the trial is yet to commence. This Court is cognizant of the fact that the outbreak of pandemic COVID-19 in the region may further delay the conclusion of trial. Admittedly, the petitioner is presently confined in judicial custody since 21.09.2020 and his further detention may not be necessary for any useful purpose, therefore, this Court does not find any reason to decline the prayer.

Resultantly, without meaning any expression of opinion on the

merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

25.01.2021

vanita

Whether speaking/reasoned :
Whether Reportable :

Yes
Yes

(MANOJ BAJAJ)
JUDGE

No
No