

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

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**CRM-M-38698-2020(O&M)
Date of decision : 14.01.2021.**

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.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Shailender Singh Gill, Advocate for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

This is a petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in FIR No.0219 dated 09.10.2010 under sections 379, 420 of the Indian Penal Code, 1860 registered at Police Station Garhi.

Learned counsel for the petitioner would contend that the petitioner has been in custody since 12.10.2020 and that the challan already stands presented and there is no other case against the petitioner. Learned counsel for the petitioner would further contend that there is no recovery to be effected from the petitioner.

Notice of motion.

On the asking of the Court, Ms. Dimple Jain, AAG, Haryana has put in appearance on behalf of the respondent-State through video conferencing and accepts notice. She, on instructions from ASI Sukhdev Singh, has stated that the petitioner was apprehended alongwith Rs.5000/- and two-three ATM cards which were used by him once for

withdrawing money and he was further attempting to withdraw more money. Learned counsel for the State has further stated that the challan stands presented in the present case and there is no other case pending against the petitioner.

I have heard learned counsel for the parties.

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 12.10.2020 and the fact that he is a young boy of 22 years against whom no other case is pending as also the fact 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 14, 2021

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NOTE:

Whether speaking/non-speaking: Yes/No

Whether reportable: Yes/No

(ALKA SARIN)

JUDGE