

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

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(i)

**CRM-M-39035-2020
Date of Decision : 10.02.2021**

Jagbir @ Pandu

.....Petitioner

Versus

State of Haryana

.....Respondent

(ii)

**CRM-M-43209-2020
Date of Decision : 10.02.2021**

Shokin

.....Petitioner

Versus

State of Haryana

.....Respondent

(iii)

**CRM-M-43816-2020 (O&M)
Date of Decision : 10.02.2021**

Inderjeet @ Billa

.....Petitioner

Versus

State of Haryana

.....Respondent

(iv)

**CRM-M-43824-2020 (O&M)
Date of Decision : 10.02.2021**

Bharat

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Shilak Ram Hooda, Advocate
for the petitioner in CRM-M-39035-2020.

Ms. Sharmila Sharma, Advocate
for the petitioners in CRM-M-43209-2020;
CRM-M-43816-2020 (O&M) and
CRM-M-43824-2020 (O&M).

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

Mr. Ravinder Hooda, Advocate
for the complainant.

ARUN KUMAR TYAGI, J. (Oral)

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

The petitioner-Jagbir @ Pandu has filed CRM-M-39035-2020; petitioner-Shokin has filed CRM-M-43209-2020; petitioner-Inderjeet @ Billa has filed CRM-M-43816-2020 and petitioner-Bharat has filed CRM-M-43824-2020 under Section 439 of the Code of Criminal Procedure, 1973 (for short 'the Cr.P.C.') for grant of regular bail in case FIR No.250 dated 17.08.2020 registered under Sections 148, 285, 323, 379-B, 427, 506 and 120-B read with Section 149 of the Indian Penal Code, 1860 (for short 'the IPC') and under Section 25 of the Arms Act, 1959 in Police Station Rai, Sonapat to which Sections 395, 397 of the IPC and Sections 27 and 30 of the Arms Act, 1959 were added lateron.

The petitioners being in custody have filed present petitions for grant of regular bail.

The petitions have been opposed by the respondent-State in terms of status reports filed by way of affidavit of Nikita Khattar, IPS Assistant Superintendent of Police, Sonipat in the Registry in all the four cases which are taken on record.

I have heard learned Counsel for the petitioners, learned State Counsel and learned Counsel for the complainant and gone through the relevant record.

Mr. Shilak Ram Hooda, learned Counsel for petitioner-Jagbir @ Pandu has argued that the petitioner has been falsely implicated in the case. The petitioner was not present on the spot. He is alleged to have conspired with Bhukha and Bhola for commission of the subject offences. Similarly placed co-accused Sahil has been granted regular bail by the Coordinate Bench of this Court vide order dated 05.11.2020 passed in CRM-M-35333-2020 (O&M).

Ms. Sharmila Sharma, learned Counsel for petitioners-Shokin, Inderjeet @ Billa and Bharat has argued that the petitioners have been falsely implicated in the present case. The complainant was running illegal liquor vend. The above-said FIR is the result of dispute between the complainant and other liquor contractors who are friends of the petitioners. All the injuries caused to the complainant were declared to be simple. Allegations of snatching were falsely made to make the case triable by the Court of Session.

Both the learned Counsel for the petitioners have further submitted that the matter has also been settled with the complainant. The trial is likely to take long time due to restrictions imposed to prevent spread of infection of Covid-19 and no useful purpose will be served by keeping the petitioners in custody. Therefore, the petitioners may be ordered to be released on regular bail.

On the other hand, Mr. Rana Harjasdeep Singh, DAG, Punjab has argued that the allegations made against the petitioners are serious. Petitioners-Shokin, Inderjeet @ Billa and Bharat are also involved in other cases. In view of nature of accusation and gravity of offences, the petitioners do not deserve grant of regular bail. Therefore,

the petitions may be dismissed.

Mr. Ravinder Hooda, learned Counsel for the complainant has admitted the factum of compromise and stated that the complainant has no objection to release of the petitioners on bail.

Keeping in view the facts and circumstances of the case, nature of accusation and evidence against the petitioners, the fact that the matter has been compromised and also the fact that trial is likely to take long time due to restrictions imposed to prevent 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 petitioners.

In view of the above, the petitions are allowed and the petitioner-Jagbir @ Pandu, Shokin, Inderjeet @ Billa and Bharat are 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.

10.02.2021

Kothiyal

(ARUN KUMAR TYAGI)
JUDGE

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