

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

220/2

**CRM-M No. 39321 of 2020
Date of decision :03.09.2021**

Joginder Singh @ Jogi

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. H.N. Sahu, Advocate for the petitioner.
Mr. Pardeep Prakash Chahar, DAG, Haryana.

HARNARESH SINGH GILL, J.

Case is taken up for hearing through video conferencing.

Prayer in this petition is for grant of bail in case FIR No. 68 dated 01.02.2020 registered under Sections 148, 149, 224, 225, 307, 333, 353 (Sections 120-B and 216 IPC added later on) and Section 25 of Arms Act, 1959 at Police Station Dabua, District Faridabad.

Reply by way of affidavit dated 23.01.2021 of Assistant Commissioner of Police, Badkhal, District Faridabad, filed on behalf of respondent-State, through e-mail, is taken on record.

Learned counsel for the petitioner states that the initially the name of the petitioner was not mentioned in the FIR and even on the disclosure statement made by the co-accused Ashu on 03.02.2021, however on the second disclosure statement made on 06.02.2020 the name of the petitioner came forward. The petitioner has been in custody since 06.02.2020.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel has pointed out that all the co-accused along with the petitioner came in three cars and the petitioner was in Ritz Car and he also fired at Police party with his countrymade pistol which was recovered at a later stage. The petitioner is involved in two other cases. Out of 52 prosecution witnesses, 14 witnesses have been examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 06.02.2020. It is a case in which the petitioner was not named in the FIR but he was involved in the present case on the second disclosure statement of the co-accused Ashu. Moreover, co-accused of the petitioner have already been granted bail. Therefore, no useful purpose would be served by keeping the petitioner behind the bars. Further, keeping in view the prevailing situation of Covid-19 pandemic, the trial is unlikely to conclude any time soon.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

03.09.2021

Rajeev (rvs)

**(HARNARESH SINGH GILL)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No