

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

209

CRM-M-2235-2021

Decided on : 22.01.2021

Ravi

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Sanawar Ali, Advocate
for the petitioner(s).

Mr. Rajiv Goel, DAG, Haryana
assisted by SI Pradeep.

MANJARI NEHRU KAUL, J. (Oral)

This is the second petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 160, dated 03.05.2016, under Sections 365, 376-D, 343 and 34 IPC, registered at Police Station Kundli, District Sonapat, Haryana.

Learned counsel for the petitioner *inter alia* contends that the petitioner is a victim of false implication and concocted allegations have been levelled against him in the FIR in question, which is evident from the fact that the co-accused Ravinder already stands acquitted in the FIR in question. He further contends that though he was declared a Proclaimed Offender (PO) and an FIR was registered against him under Section 174-A IPC, however, he has been acquitted in the said FIR. Learned counsel for the petitioner has thus prayed for grant of concession of regular bail, as he has been in custody since 11th December, 2018 and only 05 out of the 24 prosecution witnesses cited, have been examined till date.

Per contra, learned State counsel while opposing the prayer and

submissions made by learned counsel for the petitioner, on instructions from SI Pradeep, has admitted that similarly situated co-accused Ravinder stands acquitted by the trial Court vide order dated 11th December, 2017 (Annexure P-3) and also the factum of the petitioner having been acquitted for offence under Section 174-A IPC.

Heard.

In view of the submissions made by learned counsel for the parties, I deem it a fit case for grant of the concession of regular bail to the petitioner, as the trial is unlikely to conclude in the near future, more so, in the prevailing conditions due to the outbreak of COVID-19. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

January 22, 2021

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*