

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

243

CRM-M-44771-2021

Date of decision : 01.11.2021.

Manish

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Suvir Sidhu, Advocate for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.241 dated 17.07.2016, under Sections 399, 402 IPC, and Sections 25/54/59 of the Arms Act, 1959, registered at Police Station City Dadri, District Bhiwani.

Learned counsel for the petitioner contends that it is alleged that that the petitioner along with the other co-accused was planning to commit robbery. However, no overt act is attributed to the petitioner. The petitioner had earlier been granted regular bail by the trial court. Thereafter, he was appearing before the trial court but he could not appear before the trial court on one date as he had been wrongly informed about the date and his bail bonds were cancelled. He has been declared as proclaimed offender. The petitioner is in custody for a total period of about 01 year and 03 months including the period after his re-arrest. He also contends that similarly situated co-accused, namely, Jagdish @ Sethi has been granted bail in CRM-M-29065 of 2021, on 04.08.2021 and co-accused Ram Babu has been granted bail by this Court in CRM-M-24578 of 2021 on 13.07.2021. He further contends that the petitioner does not have any criminal antecedents.

Learned State counsel, upon instructions from ASI Ashok Kumar contends that although charges have been framed but no prosecution witness has been examined.

Heard.

In view of the above, especially when no overt act is attributed to the petitioner, he is in custody for about 01 year and 03 months, he does not have any criminal antecedents, co-accused has been granted bail, the COVID-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

However, the petitioner shall appear before the Police Station City Dadri, Bhiwani on every alternate Monday. At the time of release of the petitioner, the SHO of the concerned Police Station shall be informed and the petitioner shall furnish his mobile number to him. The petitioner shall also keep the location of his phone on till the conclusion of the trial.

(ANUPINDER SINGH GREWAL)
JUDGE

November 01, 2021
sonia gugnani

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