

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

210

CRM-M-40621-2020

DATE OF DECISION: 12.02.2021

HABIB @ AMITABH

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Dharamvir Sharma, Advocate for the petitioner.

Mr. Anant Kataria, DAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.318 dated 05.12.2017, under Sections 395, 397 and 201 IPC, registered at Police Station Sector 9-A, Gurugram, District Gurugram.

Learned counsel for the petitioner contends that it is alleged that ATM machine had been stolen on the night intervening 4/5.12.2017. He further contends that the petitioner is not named in the FIR and has been arraigned as an accused on the statement of the co-accused Irshad who has been released on regular bail by the coordinate Bench of this Court in CRM-M-40299 of 2020 on 09.12.2020 (Annexure P-5). He also contends that similarly situated co-accused Amzad has been granted regular bail in CRM-M-16382-2020 on 16.10.2020 (Annexure P-4) by the coordinate Bench of this Court. He submits that the petitioner is alleged to be involved in other cases. He also submits that the co-accused Amzad and Irshad are also involved in several other cases.

Learned State counsel, upon instructions from ASI Jagdish Chand contends that 2 out of 23 prosecution witness have been examined.

Heard.

In view of the above, especially when the petitioner is in custody for over 7 months, the co-accused have 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.

(ANUPINDER SINGH GREWAL)
JUDGE

12.02.2021

SwarnjitS

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