

206 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-41338-2020
Date of Decision: 05.01.2021

Parvesh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

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

Mr. Anmol Malik, Deputy Advocate General, Haryana.

SUDIP AHLUWALIA, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure by the petitioner, seeking regular bail in case FIR No.223 dated 02.06.2017, under Sections 148, 149, 302, 323 and 324 of the Indian Penal Code, and subsequently added Section 25 of the Arms Act, registered at Police Station Civil Line, Sonipat, District Sonipat.

2. Seen Letter No.312 dated 21.12.2020 sent up by the Ld. Additional District and Sessions Judge, Sonipat, in whose Court the original trial is pending.

3. On perusal of the same, it transpires that framing of charges against two other accused persons, namely Rohit and Mohit, has been stayed by the Co-ordinate Bench(es) of this Court in connection with the revision petitions filed by those accused persons, on account of which the Ld. Trial

Judge is unable to proceed further in the trial, or to record the statement of the injured Sonu, as was directed by this Court on the last date.

4. In this view of the matter, the petitioner, who has remained in custody for a period of three years and seven months, since 05.06.2017, and is also not named in the original FIR, deserves to be treated at par with co-accused Vikas @ Vicky and Sumit, who have already been granted regular bail by this Court in CRM-M-39405-2020 and CRM-M-36805-2020, respectively.

5. The petitioner is, therefore, also at this stage is liable to be released on regular bail pending trial, on the identical terms and conditions, as were imposed in the case of co-accused Vikas @ Vicky and Sumit.

6. As such, without commenting any further on the merits of the present case as a whole and in view of the detention undergone by the petitioner, as also the fact that the trial is likely to take its own substantial time, particularly on account of the ongoing Covid-19 pandemic, the prayer of the petitioner for regular bail is allowed and he is ordered to be released on bail, subject to imposition of the same terms and conditions like co-accused Vikas @ Vicky and Sumit, to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

7. Disposed off.

05.01.2021*Apurva***(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No