

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(212)

CRM No. M-50349 of 2021
Date of Decision : 07.12.2021

Ghanshyam

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Sandeep Yadav, Advocate for the petitioner.

Mr. Karan Garg, Assistant Advocate General, Haryana.
(keeping in view advance copy given)

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 185 dated 22.05.2021, registered under Sections 379-A, 201, 34 IPC at Police Station Urban Estate Rohtak, District Rohtak.

Learned counsel for the petitioner argues that the petitioner was not arrested at the spot but has been roped on the basis of disclosure statement of co-accused, namely, Parveen Kumar. Learned counsel for the petitioner submits that once, the charges have already been framed against the petitioner and the trial is likely to take some time, the petitioner may kindly be extended the benefit of regular bail.

Notice of motion.

Mr. Karan Garg, learned Assistant Advocate General, Haryana, who is present in Court, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned State counsel, on the other hand, submits that

petitioner is a habitual offender and there are two cases of similar nature pending against the petitioner, hence, in case the petitioner is granted the benefit of regular bail, he will indulge in similar activities.

Learned counsel for the petitioner submits that petitioner is already on bail on those very cases and the petitioner undertakes not to violate law in any manner in case, he is granted the benefit of regular bail in this case.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Once, the investigation is over and even the charges have been framed and the charges are yet to be proved during the trial and keeping in view the pandemic of Covid-19, when the Courts are working in the restrictive manner, the trial is likely to take some time before the same concludes, no useful purpose will be achieved in keeping the petitioner behind the bars during the trial, especially, when learned counsel for the petitioner has undertaken before this Court that the petitioner will not influence the trial in any manner and will maintain good conduct, if he is granted bail. In case of default of the undertaking, the State will be at liberty to approach this Court for passing appropriate orders.

The petitioner is directed to be released on regular bail in this case subject to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

December 07, 2021
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No