

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(233)

CRM-M-3013-2022

Date of Decision: January 28, 2022

Anwar Khan

.. Petitioner

Versus

State of Haryana

.. Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. K.D.S Hooda, Advocate, for the petitioner.

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

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.144 dated 31.10.2021 registered under Sections 34, 378-A of the IPC (Sections 420, 467, 468, 471 472 and 411 IPC added later on) at Police Station Jakhal, District Fatehabad.

Learned counsel for the petitioner argues that the petitioner has wrongly been involved in the present case and as the investigation is over and the challan has already been presented, the petitioner may kindly be extended the benefit of regular bail as he undertakes before this Court not to influence the trial or the witnesses in any manner.

Notice of motion.

Mr. Karan Garg, learned Assistant Advocate General, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned counsel for the respondent-State submits that the allegations against the petitioner are serious in nature as the petitioner had snatched the mobile phone of the complainant, which mobile phone has been recovered from the petitioner on his disclosure statement. Learned counsel for the respondent-State though concedes that the investigation is over and the challan has already been presented.

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

The allegations alleged against the petitioner are yet to be proved during the trial. Keeping in view the fact that when the Courts are working in a restricted manner due to the pandemic of Covid-19, the trial is likely to take some time before it concludes, no useful purpose will be achieved in keeping the petitioner behind the bars as the petitioner has undertaken before this Court not to influence the trial or the witnesses in any manner.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence trial in any manner including influencing the witnesses and in case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

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.

January 28, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned?: Yes
Whether reportable? : Yes