

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(108+215)

CRM No. 3446 of 2022 in/and
CRM No. M-3715 of 2022
Date of Decision : 04.02.2022

Ram Lal and another

....Petitioners

Versus

The State of Haryana

.....Respondent

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Govind Chauhan, Advocate for the petitioners.

Mr. Karan Garg, Assistant Advocate General, Haryana.

Harsimran Singh Sethi, J. (Oral)

CRM No. 3446-2022

Present application has been filed for allowing the petitioners to amend the heading of the petition so as to substitute Section 379-A IPC by Sections 395, 411 IPC.

Notice of the application to the counsel opposite.

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 application, accepts notice on behalf of the respondent-State.

Learned State counsel raises no objection for substituting

Section 379-A IPC by Sections 395 and 411 IPC in the headnote as well as

prayer clause of the petition and to take the amended headnote on record.

Keeping in view the facts and circumstances of this case, present application is allowed. The petitioners are allowed to substitute Section 379-A IPC by Sections 395 and 411 IPC in the heading and prayer of the petition.

Headnote is amended and Registry is directed to do the needful.

CRM No. M-3715 of 2022

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 425 dated 01.10.2021, registered under Section 379-A IPC (Section 379-A IPC substituted by Sections 395, 411 IPC later on) at Police Station Taraori, District Karnal.

Learned counsel for the petitioners argues that the investigation is already over and the challan has already been submitted and as the trial is likely to take some time before it concludes, the petitioners may kindly be extended the concession of regular bail, especially, in view of the fact that the other co-accused against whom the similar allegations have been alleged, have been extended the concession of anticipatory bail.

Learned State counsel concedes the factum that investigation is over and the challan has already been presented and also the fact that the similarly situated co-accused have been extended the concession of anticipatory bail.

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

Keeping in view the fact that the challan has already been presented and the trial is likely to take some time before it concludes

keeping in view the restricted working of the Courts due to pandemic of Covid-19 coupled with the fact that similarly situated co-accused have already been extended the concession of anticipatory bail and no useful purpose will be achieved in keeping the petitioners behind bars as the petitioners have undertaken before this Court not to influence the trial or the witnesses in any manner, he has made out a case for the grant of regular bail.

The petitioners are 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.

February 04, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

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