

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

(217)

CRM-M-5558-2022

Date of Decision : February 28, 2022

Sanjeev

.. Petitioner

Versus

State of Haryana

.. Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ankit Chahal, 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.92 dated 05.03.2021 registered under Sections 34 and 379-B of the IPC, 1860 (charges framed under Sections 392 & 397 IPC) at Police Station Sonipat Sadar, District Sonipat, Haryana.

Learned counsel for the petitioner argues that the petitioner is behind the bars since 05.03.2021 and the allegations alleged against the petitioner are yet to be proved during the course of trial and keeping in view the restricted working of the Courts due to the pandemic of Covid-19 as the trial is likely to take some time before it concludes, 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 the Court, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned counsel for the respondent-State though concedes the factum that the investigation in the present FIR is already over and the challan has already been presented but submits that the petitioner is involved in other cases as well and therefore, it is likely that in case, the petitioner is extended the benefit of regular bail, his conduct will still be same.

Learned counsel for the petitioner submits that one of the co-accused namely Neeraj has already been extended the benefit of regular bail by this Court while passing the order in CRM-M-49704-2021 (Annexure P-4) on 02.12.2021 and the petitioner also undertakes to maintain a good conduct if granted the concession of regular bail, hence, he may kindly be extended the said concession.

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 investigation is already over and the challan has been presented and out of the 13 witnesses, 06 have already been examined and the trial is likely to take some time before it concludes especially keeping in view the restricted working of the Courts due to the pandemic of Covid-19 coupled with the fact that co-accused namely Neeraj has already been extended the concession of regular bail, the petitioner has made out a case for the grant of regular bail.

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.

February 28, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : Yes