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

CRM-M-11865-2022

Date of Decision: 25.03.2022

Anil Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vikas Bishnoi Godara, Advocate,
for the petitioner.

Mr. Raman Kumar Sharma, Additional A.G., Haryana.

(Through Video Conference)

HARSIMRAN SINGH SETHI J. (ORAL)

The petitioner is seeking regular bail in FIR No.282, dated 17.08.2021, under Sections 379-A, 384 and 34 of the IPC (Section 411 & 201 of the IPC (qua petitioner only) added later on vide order dated 08.02.2021 at Annexure P-4), registered at Police Station Sadar, Fatehabad, District Fatehabad.

Learned counsel for the petitioner argues that in the present case, the material witnesses, including the complainant, have already been examined and they have not supported the prosecution version and even otherwise, as the trial is likely to take some time to conclude due to the restrictive working of the Courts in view of Covid-19 pandemic, the petitioner, who is behind the bars since 22.08.2021, may kindly be extended the concession of regular bail.

Learned State counsel concedes the factum that the the material

witnesses, including the complainant, have already been examined but submits that the guilt or innocence of the petitioner will be decided on the basis of the complete evidence which will come on record during trial, and therefore, no benefit of the statement of the complainant can be extended to the petitioner to declare him innocent at this stage. Hence, prayer of the petitioner for grant of regular bail may kindly be declined.

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

Keeping in view the facts that the material witnesses in this case have already been examined and the trial is likely to take some time to conclude due to the restrictive working of the Courts in view of Covid-19 pandemic, no useful purpose will be achieved in keeping the petitioner behind the bars during the entire period of trial, especially when learned counsel for the petitioner has undertaken before this Court that the petitioner will maintain good conduct and will not influence the trial or any witnesses in any manner, 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.

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.

25.03.2022

Apurva

(HARSIMRAN SINGH SETHI)
JUDGE

1. Whether speaking/reasoned : Yes
2. Whether reportable : Yes