

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

CRM-M-40313-2021
Date of Decision:-17.2.2022

AMIT ALIAS MITTA

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Sanjeev Kadian, Advocate
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

KARAMJIT SINGH, J. (Oral)

Case has been heard through video conferencing on account of
COVID-19 Pandemic.

Prayer is for grant of regular bail in case having FIR No.256
dated 8.11.2018 registered under Sections 186, 307, 353, 420, 34 IPC and
Section 25 of Arms Act at Police Station Sadar Panipat, District Panipat.

The counsel for the petitioner contended that the petitioner has
been falsely implicated in the present case. It is further contended that no
one was injured at the time of the alleged occurrence and the petitioner is in

custody since 8.11.2018. The counsel for the petitioner made prayer that the petitioner be released on regular bail during the pendency of trial which is not progressing further, presently due to prevailing COVID-19 situation.

The bail application is contested by the State counsel, who submitted that the petitioner was named in the FIR and is facing serious charges that he fired at the police officials but missed the target.

I have considered the submissions made by counsel for the petitioner as well as by State counsel.

Admittedly, the petitioner was arrested in this case on 8.11.2018 and since then he is in custody and no one sustained injuries at the time of alleged occurrence. As per the State counsel, the petitioner is also facing another case under Section 302 IPC, in which he is on bail. It has also been brought to the notice of this Court by the State counsel that charges have been framed but the trial is not going ahead due to prevalent pandemic. I am of the view that bail in the present case cannot be declined, on the ground that the petitioner is facing one another murder case in which he is on bail. In the present case, the petitioner is in custody for the last more than 3 years and it will take time for conclusion of the trial due to prevalent COVID-19 situation. Moreover, co-accused Sahil, has already been granted regular bail by this Court vide order dated 17.2.2020.

Keeping in view facts and circumstances mentioned above, no fruitful purpose is going to be served even if the petitioner is kept in judicial custody for any longer period. Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released

on bail subject to his furnishing bail and surety bonds to the satisfaction of the CJM/Duty Magistrate concerned.

17.2.2022
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No