

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRM-M-415-2020
Date of decision: 29.05.2020

Hardeep Singh @ Deepi

....Petitioner

versus

State of Haryana

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. S.P.S. Sidhu, Advocate
for the petitioner.

Mr. Baljinder Virk, DAG, Haryana.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Petitioner-Hardeep Singh @ Deepi has filed the present petition *inter alia* with a prayer to grant him regular bail in case FIR No.83 dated 28.06.2018 under Sections 148, 149, 323, 307, 302, 427, 120B of IPC, 506, 201 of IPC, Sections 25, 30 of Arms Act and Section 3 of SC/ST Act, registered at Police Station Kalka, District Panchkula.

Learned counsel for the petitioner submits that the petitioner was not named in the FIR. He further submits that he was arrested on 17.12.2018 and four co-accused have been granted bail by this Court. Reference has been made to 'CRM-M-12142-2020 dated 12.05.2020 titled as 'Hem Raj and others Vs. State of Punjab'. He further submits that on the ground of parity

the petitioner be also granted regular bail. He then submits that a co-accused namely, Sohan Lal, vide order dated 05.03.2020 passed in CRM-M-8548 of 2020 has been granted bail. He further goes on to submit that the trial Court has also granted bail to Dinesh Kumar and Vijayinder. He, therefore, submits that the allegations in the FIR are vague and it is only alleged that unknown persons who chased and injured the deceased with iron rod. He submits that challan has been presented and charges have not been framed till date.

A co-ordinate Bench on 12.05.2020 had noticed as under:-

“Without going into merits of the case, it is suffice to notice that no specific role has been attributed to Billa and only wooden sticks have been recovered from the petitioners. The deceased is alleged to have been killed by a fire arm injury. The petitioners are in custody for nearly 22 months. The recording of prosecution evidence is yet to start. There are as many as 37 accused in the case. The conclusion of trial of the case is likely to take time. The case of the petitioners is not different from the case of their co-accused, namely Sohan Lal (supra) who has been granted the concession of bail.

Keeping in view the aforesaid facts of the case, the present petition is allowed. The petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of the learned Chief Judicial Magistrate/Duty Magistrate concerned.”

In view of the peculiar facts and circumstance as noticed above and the fact that the trial is likely to take time and also considering the situation of COVID-19, this Court deems it appropriate to release the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned. However, it is made clear that anything observed herein shall not be construed as an expression of opinion

on merits of the case.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

29.05.2020
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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No