

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203

CRM-M-4761-2020 (O&M)

Date of decision: 14.07.2020

Rakesh @ Hitesh

.....Petitioner

versus

State of Haryana

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. KDS Hooda, Advocate for the petitioner.

Mr. Amit Aggarwal, DAG, Haryana.

(the aforesaid presence is being recorded through video

conferencing since the proceedings are being conducted in Virtual Court).

GIRISH AGNIHOTRI, J. (Oral)

CRM-15520-2020

Allowed as prayed for.

CRM-15521-2020

This application has been filed by the applicant/petitioner inter alia praying for preponement of date of hearing from 23.07.2020 to some early date.

Notice of the application.

On the asking of Court, Mr. Amit Aggarwal, DAG, Haryana, accepts notice on behalf of State-respondent. He has no objection if the date is preponed.

For the reasons mentioned in the application, the same is allowed and the date of hearing in the main case is preponed from 23.07.2020 to today i.e. 14.07.2020 and the same is taken on board.

CRM stands disposed of.

CRM-M-4761-2020

Petitioner-Rakesh @ Hitesh who is stated to be aged 29 years, has filed the present petition *inter alia* praying for grant of regular bail in case FIR No.916 dated 27.11.2018 under Sections 302, 148, 149, 506 IPC (Section 120B IPC and Section 3 of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989, added later on), registered at Police Station City Sonapat, District Sonapat.

At the outset, learned counsel for the petitioner based on pleadings, submits that vide order dated 17.06.2020, passed in CRM-M No.50349 of 2019, co-accused/Priyavarat and vide order dated 22.05.2020, passed in CRM-M No.3229 of 2020, co-accused/Rohit, have been granted concession of regular bail by this Court.

Learned State counsel submits that there are total of 14 co-accused. The challan in this case was presented and trial is going on. He further submits that there are total of 27 prosecution witnesses, whereas only four have been examined.

Faced with the situation, learned counsel submits that the role of the petitioner (herein) and that of co-accused as per the allegations in the FIR, is allegedly same/similar. He further submits that the petitioner was arrested on 12.12.2018. Learned counsel then submits that due to the present COVID-19 situation and also the fact that trial is likely to take some time, detention of the petitioner in jail is dangerous to his life. Therefore, petitioner is entitled for regular bail.

In view of the peculiar facts as noticed above, considering the

existing situation due to COVID-19 and the fact that trial is likely to take some time, this Court deems it appropriate to direct the release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds. However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

14.07.2020

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