

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

Crl.M.No.7673 of 2020

Date of Decision: 26.10.2020

Vikas Patel

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Jamshed Ahmed, Advocate for the petitioner.

Mr. H.S. Sullar, DAG, Punjab.

HARINDER SINGH SIDHU, J

Prayer is for grant of regular bail in case FIR No.38 dated 26.10.2018 under Sections 302/120-B IPC registered at P.S Dhakoli, District SAS Nagar.

As per the contents of the FIR, brother of the complainant, who had come to Panchkula on 18.09.2018 for visiting cousins, went outside on 21.09.2018 for taking dinner along with the present petitioner and other co-accused. On the next day i.e 22.09.2018, his dead body was found in the bushes at Dhakoli, opposite Police Station Dhakoli.

Learned counsel for the petitioner contends that the petitioner has no concern with the alleged crime and that there is nothing on record which could connect him with the murder of brother of the complainant. There is about one month delay in registration of the case and that the petitioner has been in custody since 15.12.2018 and that he is not involved in any other case. Moreover, the trial is not making any headway due to covid-19 pandemic.

Opposing the petition, the learned State counsel has submitted that out of 19, four witnesses have already been examined.

Without commenting anything on the merits of the case and also bearing in mind the custody period coupled with the fact that there could not be apprehension of the petitioner attempting to win over the witnesses and more so on account of the current Covid-19 situation where the trial proceedings are being adjourned from time to time, in my opinion, no useful purpose will be served by detaining the petitioner behind bars any further. The petition, as such, is accepted. The petitioner Vikas Patel is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

This present petition stands accepted accordingly.

October 26, 2020
manoj

(Harinder Singh Sidhu)
Judge

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