

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

CRM-M-12067 of 2020.

Decided on:- May 11, 2020.

Malak Singh.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. G.S. Sandhu, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of interim bail to the petitioner for a period of 30 days in FIR No.213 dated 20.03.2019 under Sections 148, 149, 307, 323, 325 and 506 IPC as well as under Section 25 of the Arms Act, 1959 and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Assandh, District Karnal on account of death of the father of the petitioner and to manage the crop.

Learned counsel for the petitioner submits that the petitioner is in custody since 25.11.2019. He has filed a separate petition for regular bail before this Court i.e. **CRM-M-4753 of 2020** which is pending for hearing on 20.05.2020. The said case was fixed for 24.03.2020 before this Court, but on

account of the outbreak of COVID-19, the Court is not working regularly and the case was adjourned to 20.05.2020.

He further submits that the father of the petitioner had died on 11.04.2020 and the petitioner was granted interim bail from 15.04.2020 to 29.04.2020 and thereafter, he surrendered on 30.04.2020. The petitioner is required to perform certain rituals after the death of his father and also to harvest the standing crop. Therefore, he is required to be released on interim bail for a period of 30 days.

He further submits that there is no allegation against the petitioner that he inflicted injury to the injured and the only allegation against him is that he tried to give injury and was having a Pharsa in his hand.

Learned State counsel does not dispute the role of the petitioner in the alleged crime.

I have heard learned counsel for the parties.

Considering the fact that the father of the petitioner had died on 11.04.2020 and the petitioner is required to perform certain rituals after the death of his father and to harvest his standing crop, this Court finds that the petitioner deserves to be admitted on interim bail for a period of 30 days.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on interim bail for a period of 30 days on his furnishing adequate bail and surety bonds to the satisfaction of learned trial Court/Duty Magistrate.

The petitioner shall surrender before the jail authority on 10.06.2020 unless any further extension is granted to him by this Court.

It is made clear that the petitioner shall be required to comply with the administrative instructions/guidelines issued by the government from time to time in view of outbreak of COVID-19, including maintaining social distancing and preventing community transmission.

May 11, 2020
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No