

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-12764-2020 (O&M)

Date of Decision: 07.08.2020

Abhishek

... Petitioner

VS.

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. HS Brar, Advocate for the petitioner

Mr. Rajiv Goel, DAG Haryana

GIRISH AGNIHOTRI, J. (Oral)

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

CRM-18702-2020

Allowed as prayed for.

Documents (P4 to P9) are taken on record subject to all just exceptions.

CRM stands disposed of.

Main case

Petitioner-Abhishek who is stated to be aged 31 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-50349-2019, co-accused/Priyavarat; vide order dated 22.05.2020, passed in

CRM-M-3229-2020, co-accused/Rohit, and vide order dated 14.07.2020 passed in CRM-M-24280-2019 co-accused/Neeraj @ Mannu 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 a total of 27 prosecution witnesses, whereas only 4 have been examined till date.

Faced with the situation, learned counsel then 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 14.12.2018. He 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.

07.08.2020

vishal shonkar

(Girish Agnihotri)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes/No
Yes/No