

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M- 12916-2020 (O&M)

Date of Decision: July 22, 2020

Rahul Bindlish

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Akshit Aggarwal, Advocate
for the petitioner.

Ms. Dimple Jain, DAG, Haryana.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.538 dated 24.07.2019 under Sections 304-B, 34 Indian Penal Code (alternative charge under Sections 302/34 IPC), registered at Police Station Model Town, Panipat, District Panipat.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 25.07.2019. It is submitted that the petitioner has been falsely implicated in the present case. Learned counsel for the petitioner relies upon Annexure P-4 which is the suicide note wherein the deceased has not implicated the petitioner in any manner whatsoever and further relies upon Annexure P-3- copy of whatsapp messages/photographs of the deceased and the petitioner to reflect that the

deceased was happily married to him while contending that the conclusion of trial will take sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that offences alleged against the petitioner are serious in nature, however, does not dispute the fact that the challan has been presented and that prosecution witness is still to be examined and that there is no progress in the case.

I have heard learned counsel for the parties.

Since, in view of the restricted working of the Courts due to pandemic COVID-19 situation the trial is likely to take time and in view of the facts that the petitioner herein has been in custody since 25.07.2019 and that there are no allegations against the petitioner in the suicide note and the challan stands presented, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on his execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

July 22, 2020

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No