

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

**CRM-M-14319-2020 (O&M)
Decided on : 23.06.2020**

Veeru @ Nanha

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Kamal Deep Sehra, Advocate
for the petitioner(s).

Ms. Dimple Jain, AAG, Haryana.

MANJARI NEHRU KAUL, J.

Due to the outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 300, dated 15.07.2019, under Sections 302, 34 IPC and Section 404 IPC (later on), registered at Police Station Sadar, Sonipat.

Learned counsel for the petitioner *inter alia* contends that the instant case is based on circumstantial evidence. As per the allegations levelled in the FIR, the dead body of the deceased was lying in the grain market with his throat slit. Since the deceased was allegedly last seen in the company of the petitioner, he was nominated as an accused.

It has been further contended that during the trial, the complainant did not support the case of the prosecution while appearing as PW-5 and was thus declared hostile. It has also been further contended that the petitioner has been in custody since 18th July, 2019 and the trial is unlikely to conclude in the near future, on account of the prevailing

conditions due to the outbreak of pandemic COVID-19.

Learned State counsel on the other hand while opposing the prayer for grant of regular bail to the petitioner, has submitted that 14 out of the 17 prosecution witnesses cited, have been examined till now and the trial is likely to conclude in the near future. However, she has not been able to controvert the factum of the complainant turning hostile during trial.

Heard.

In view of the submissions made by learned counsel for the parties and keeping in view the fact that the petitioner has been behind bars since 18th July, 2019, no useful purpose would be served in keeping the petitioner behind bars, as the trial is unlikely to conclude in the near future, more so in the prevailing conditions due to the outbreak of pandemic COVID-19. Therefore, I deem it a fit case for grant of the concession of regular bail. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

June 23, 2020

J.Ram

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