

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

205

CRM-M-13280-2020 (O&M)

Date of decision: 10.06.2020

Kailash Chand

....Petitioner

versus

State of Haryana

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Aditya Sanghi, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

GIRISH AGNIHOTRI, J. (Oral)

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

Petitioner-Kailash Chand has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.649 dated 28.10.2019 under Sections 323, 302, 452, 506 & 34 of Indian Penal Code, registered at Police Station City Narnaul, District Mahendergarh, Haryana.

Learned counsel for the petitioner submits that the petitioner has been in custody since 28.10.2019. He submits that challan is stated to be presented on 22.01.2020. He further submits that though charges have been framed, but, no witnesses have been examined. It is also submitted by counsel for the petitioner that on complaint made by the complainant, 11 persons were stated to be allegedly involved, however, during investigation,

8 persons have been found innocent. As regards the allegation and alleged attribution to the petitioner, reference has been made to Page-9 of the petition. In the FIR, it has been alleged that the petitioner-Kailash Chand gave a blow of *Lath* on hand of the complainant.

Learned State counsel submits that the position as stated above cannot be disputed. He however submits that the petitioner was also involved earlier in a case which pertains to the year 2004.

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 time, this Court deems it appropriate to release 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. It is also made clear that in case, the petitioner is found involved in any other case, the prosecution is free to move an application for cancellation of bail.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

10.06.2020
anju rani

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