

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-13185-2020

Date of Decision: 25.06.2020

Surajmal

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. S.K. Verma, Advocate for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Case has been taken up for hearing through video conferencing.

Through this petition under Section 439 Cr.P.C., petitioner-Surajmal, has prayed for grant of regular bail in case FIR No. 234 dated 17.07.2019, registered under Sections 201, 302, 379 and 430 read with Section 34 IPC and Section 3(2)(v) of the SC and ST Act, 1989, at Police Station Sadar Jind, District Jind.

According to prosecution, petitioner is facing trial in the aforesaid FIR, on the allegations that in the night of 14.07.2019 around 10.45 PM, in the area of village Gulkani, petitioner along with his accomplice with their common intention committed murder of Bijender and mischief of diverting the water to their fields by converting the water supply.

Learned counsel *inter alia* contends that petitioner is in custody since 28.07.2019. The case is based on circumstantial evidence. There is no direct evidence on record to link the petitioner in commission of crime. Despite framing of charges, till date no prosecution witness has been examined due to Covid-19. Thus, conclusion of trial may take a long time. No useful purpose would be served by detaining the petitioner in jail.

On the other hand, learned State counsel vehemently opposed the submissions of learned counsel for the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of case, the petition is allowed. Consequently, petitioner-Surajmal, is ordered to be released on bail pending trial, if, not required in any other case, on his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

June 25, 2020

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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No