

In the High Court of Punjab and Haryana at Chandigarh

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**CRM-M-13694-2020 (O & M)
Date of Decision: June 15, 2020**

NANAK CHAND

....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Talim Hussain, Advocate
for the petitioner(s).

Mr. Chetan Sharma, AAG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No.04 dated 02.01.2020, under Sections 304 IPC, registered at Police Station Chandhut, District Palwal.

Learned counsel for the petitioner contends that it was alleged in the FIR that the petitioner along with co-accused and others were drinking alcohol and had lit a bonfire of waste material to warm themselves and the petitioner had allegedly pushed the complainant in the fire and did not make any effort to save him. He, however, contends that the petitioner and others including the deceased were drinking alcohol and the deceased had accidentally fallen in the fire and when he was taken to the Lok Nayak Hospital, New Delhi, it was recorded by the doctor in the case history that it was an accidental flame burn as his feet slipped while they were drinking alcohol near a bonfire. He also contends that the petitioner is a 'dalit' and a

sole breadwinner of his family which includes wife and minor children. He also contends that no motive has been alleged either in the FIR or any of the statements recorded by the police. He is in custody for over 05 months since his arrest on 12.01.2020.

Learned State counsel states that the allegations against the petitioner are serious and, therefore, he is not entitled to the concession of regular bail. He further states that although the challan has been filed but charges are yet to be framed.

Heard through video conferencing.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner is in custody for over 05 months, Covid 19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

June 15, 2020

A.Kaundal

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