

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

**CRM-M-14302-2020 (O&M)
Decided on : 23.06.2020**

Aakil Hussain

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

Ms. Dimple Jain, AAG, Haryana.

Mr. Sarfraj Hussain, Advocate
for the complainant.

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. 296, dated 25.12.2019, under Sections 148, 149, 323, 324, 506 (307 added later on) IPC, registered at Police Station Nagina, District Nuh.

Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the instant case and there is no cogent, much less, convincing evidence collected by the investigating agency to connect him with the crime in question. He further submits that even on a perusal of the FIR in question, the only role attributed to the petitioner is of inflicting an iron rod blow on the head of one Hakmina. The injury suffered by the injured Hakmina allegedly at the hands of the petitioner was found to be simple and blunt in nature. The injury attracting the provision of Section 307 IPC was inflicted to one Daud, which has

admittedly not been attributed to the petitioner.

Per contra, learned State counsel has opposed the submissions made by learned counsel for the petitioner for grant of regular bail to the petitioner. She has further submitted that the challan has not yet been presented. She has, however, not been able to controvert the fact that the the injury attracting the ingredients of Section 307 IPC has not been attributed to the petitioner and he is stated to have caused a simple injury to one of the injured.

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 10th May, 2020, 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*