

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-14304-2020 (O&M)

Date of Decision: 08.07.2020

Narinder

... Petitioner

VS.

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. AS Sandhu, Advocate for the petitioner

Mr. Deepak Bhardwaj, DAG Haryana

GIRISH AGNIHOTRI, J. (Oral)

CRM-15317-2020

Allowed as prayed for.

Documents (P3 to P5) are taken on record subject to all just exceptions.

CRM stands disposed of.

Main case

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

The petitioner Narinder aged 28 years has filed the present petition *inter alia* with a prayer for grant of regular bail. He has been allegedly involved in case FIR No.459 dated 03.06.2018 under Sections 302/120-B IPC (Sections 201/202 IPC added later on) registered at PS Assandh, District Karnal.

Learned counsel based upon the pleadings submits that the petitioner has been involved in a false case. He submits that merely on the suspicion and as per the alleged grudge by the complainant against the petitioner that the petitioner has been named in the FIR. He further submits

that it is the case of last seen evidence/circumstantial evidence. He then submits that the petitioner was arrested on 05.06.2018 and by now, he has completed more than 2 years of incarceration.

Notice of motion.

On the asking, Mr. Deepak Bhardwaj, DAG Haryana accepts notice through video conferencing.

Learned State counsel however submits that 11 witnesses have already been examined out of 19 witnesses. He, on instructions from ASI Sri Bhagwan, submits that from the petitioner a mobile phone has been recovered. He then submits that the deceased had died because of strangulation with *parna* (piece of cloth).

Counsel for the petitioner then submits that due to COVID situation, retention of the petitioner in jail is dangerous to his life and otherwise also the trial is likely to take some time.

In view of the above, this Court deems it appropriate to release the petitioner on regular bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the Duty Magistrate/trial court concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression on merits of the case.

Disposed of.

08.07.2020

vishal shonkar

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

(Girish Agnihotri)
Judge

Yes/No
Yes/No