

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

215

CRM-M-15299-2020

Date of decision: 01.07.2020

Anish

....Petitioner

versus

State of Haryana and another

....Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Vikram Rathore, 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-Anish , stated to be aged 26 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.404 dated 16.08.2019, registered under Sections 323, 324, 452, 506 & 34 of Indian Penal Code (Section 307 IPC added later on) at Police Station HTM Hissar.

Learned counsel for the petitioner submits that the alleged incident is of 16.08.2019 i.e. approximately one year back. The petitioner is in custody since 28.08.2019/02.09.2019. It is submitted that the challan in this case was presented and the charges have been framed on 22.01.2020. There are total of 16 witnesses. Learned counsel then submits that the case was fixed for trial for today i.e. 01.07.2020 and because of COVID situation, since there are total of 16 witnesses, the trial is likely to take some time.

Learned State counsel further submits that the injured suffered injuries on chest, right abdomen and left thigh. He further submits that the injury on the chest was declared to be dangerous to life and the injured remained hospitalized for three days. He then submits that four other cases are pending against the petitioner.

Faced with the situation, learned counsel for the petitioner submits that in an earlier case under Section 325 IPC, he has been acquitted and other three cases are not with same/similar allegations as in the present FIR. Counsel for the petitioner submits that due to the present COVID-19 situation, detention of the petitioner in jail would be dangerous to his life.

In view of the peculiar facts and circumstance as noticed above, considering the existing situation due to COVID and the fact that trial is likely to take time, this Court deems it appropriate to direct release of the petitioner on regular bail to the satisfaction of trial Court/Duty Magistrate concerned. In addition to the above, the petitioner shall deposit Rs.1,00,000/-, which may be disbursed to the injured towards his medical expenses. However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

01.07.2020
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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No