

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

**CRM-M-14572-2020
Decided on : 25.06.2020**

Birender @ Bijender

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. J.P. Sharma, Advocate
for the petitioner(s).

Ms. Dimple Jain, AAG, Haryana
assisted by ASI Rohtash Kumar.

Mr. L.S. Lakhanpal, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (Oral)

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. 479, dated 29.09.2019, under Sections 323, 325, 307, 506 IPC, registered at Police Station City Mahendergarh, District Mahendergarh.

Learned counsel for the petitioner *inter alia* contends that the petitioner has been behind bars since 06th January, 2020 and as on date only challan has been presented. The trial is unlikely to conclude in the near future due to the outbreak of pandemic COVID-19. He further contends that the petitioner was attributed an axe blow from the reverse side on the head of the injured, who happens to be his uncle. Initially, the case was registered under Section 323 IPC, but on receipt of X-ray report and the opinion of the Doctor, the offences under Sections 325 & 307 IPC were added.

Learned State counsel on the other hand has opposed the prayer for

grant of regular bail to the petitioner. Further, on instructions from ASI Rohtash Kumar, learned State counsel has apprised this Court that the charges have not yet been framed against the petitioner on account of the outbreak of pandemic COVID-19 and in all likelihood the charges would be framed on the next date of hearing.

Mr. L.S. Lakhanpal, Advocate, has put in appearance on behalf of the complainant and submits that the complainant and the petitioner, who are closely related have reconciled their differences and in fact, are residing together in the same house.

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 05.01.2020, 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 25, 2020

J.Ram

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