

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

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CRM-M-14484-2020

Date of decision: 01.07.2020

Raj Kumar @ Kalu**.....Petitioner****versus****State of Haryana****....Respondent****CORAM: Hon'ble Mr. Justice Girish Agnihotri**

Present: Mr. B.S. Khehar, Advocate for the petitioner.
Mr. Sukhdeep Parmar, DAG, Haryana.
Mr. Rakesh Bakshi, Advocate for the complainant.

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-Raj Kumar @ Kalu who is stated to be aged 23 years, has filed the present petition *inter alia* praying for grant of regular bail in case FIR No.37 dated 16.01.2020, under Sections 148, 149, 323, 324, 325, 326, 379, 452, 506 IPC and 307 IPC (added lateron), registered at Police Station City Jagadhri, District Yamuna Nagar.

Learned counsel for the petitioner based on pleadings submits that in fact the present FIR is on account of previous rivalry to settle the score. He further submits that the challan has been presented on 03.04.2020. The petitioner is in custody since 28.01.2020. Charges in this case are yet to be framed. Learned counsel then submits that due to the present COVID-19 situation and also the fact that trial is likely to take some time, detention of the petitioner in jail is dangerous to his life. Therefore, petitioner is entitled

for regular bail.

Learned State counsel and counsel for the complainant have vehemently opposed the bail. It has been informed that the injured suffered various injuries and remained hospitalized for a month. He is presently on wheel chair.

Faced with a situation, learned counsel for the petitioner submits that in fact the injuries so inflicted do not read with the allegations in the FIR. He submits that the only role attributed to the petitioner is that he had hit on the leg of the injured with a thin iron rod.

In view of the peculiar facts as noticed above, considering the existing situation due to COVID-19 and the fact that trial is likely to take some time, this Court deems it appropriate to direct the release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds. However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case. The petitioner is directed to deposit Rs.50,000/- with the Duty Magistrate/Trial Court concerned which may further be disbursed to the injured as medical expenses.

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