

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-15535-2020(O&M)

Date of Decision: 04.09.2020

Manpreet @ Nanu

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. K.S. Khehar, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

Mr. Harinder Singh, Advocate for the complainant.

TEJINDER SINGH DHINDSA.J (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner seeks benefit of regular bail pending trial in case FIR No.834 dated 10.8.2019 under sections 148, 149, 302, 452, 120-B and 212 I.P.C registered at Police Station, City Thanesar, District Kurukshetra.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Manoj Kumar. Deceased is Rakesh, cousin of the complainant. As per complainant's version, an altercation had taken place between the deceased and one of the co-accused namely Mohit on the night of 9.8.2019. There are specific allegations against Mandeep, Mohit, Bandar as also against an unnamed person having attacked Rakesh with *gandasis* and with sharp edged weapons.

Name of the present petitioner does not figure in the FIR.

As per prosecution version, the present petitioner is sought to be implicated after recovery of a Samsung mobile phone and tower location records which suggest his presence at the place of occurrence.

Even as per prosecution version, no specific role/injury is attributed to the petitioner. On a specific query having been put, learned State counsel concedes that there are no call records available which would suggest that any telephonic calls had been exchanged between the petitioner and other co-accused.

No recovery of weapon has been made from the petitioner.

Petitioner has been in custody since 26.8.2019.

Investigation in the case having been completed, challan was presented on 15.9.2019 and charges framed on 28.11.2019.

Court has been informed that out of 28 prosecution witnesses cited only one has been examined till date.

Trial is not making any headway particularly keeping in view the current COVID-19 pandemic.

Petitioner has already faced incarceration in excess of one year.

In view of the above and without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petitioner be enlarged on bail subject to satisfaction of Trial Court/Duty Magistrate concerned.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

04.09.2020

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