

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

CRM-M-15748 of 2020

Date of Decision: 03.07.2020.

ANIL @ KAMAL BAND

....Petitioner.

Versus

STATE OF HARYANA

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Satyaveer Singh, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

Mr. Ankush Chaudhary, Advocate
for the complainant.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Anil @ Kamal Band** in case F.I.R. No.282 dated 27.08.2019 under Sections 120-B, 147, 148, 216, 307, 323 and 427 IPC read with Section 149 IPC and Section 25 of Arms Act registered at Police Station Civil Lines Bhiwani, District Bhiwani.

Learned counsel for the petitioner *inter alia* contends that petitioner has no nexus whatsoever with the alleged offence. He further

urges that fire-arm injury on the person of victim-Sahil @ Romeo has been attributed to co-accused Bansi. He further submits that petitioner is in custody since 17.09.2019 and he is no more required by the Police for any investigation purpose. He further urges that challan has already been presented in the Court and trial has commenced. He further urges that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 17.09.2019; that petitioner is no more required by the Investigating Agency for investigation purpose; that challan has already been presented in Court and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner- **Anil @ Kamal Band** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the

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satisfaction of Chief Judicial Magistrate/Duty Magistrate/Trial Court, Bhiwani, as the case may be. However, petitioner has been given liberty to defer the furnishing of surety bond due to COVID-19 but he is directed to furnish the surety bond to the satisfaction of Chief Judicial Magistrate/Duty Magistrate/Trial Court, Bhiwani, as the case may be, on culmination of nationwide lockdown due to COVID-19.

(LALIT BATRA)
JUDGE

03.07.2020

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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No