

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

**CRM-M-15983 of 2020 (O&M)
DATE OF DECISION : 13.07.2020**

Hanuman

...Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Sandeep Kumar Goyat, Advocate,
for the petitioner.

Mr. Vikrant Pamboo, DAG, Haryana.
(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

1. The petitioner is seeking regular bail in FIR No. 606 dated 04.10.2018, registered under Sections 324, 326 read with Section 34 IPC(to which Section 307 IPC was added later on) and under Section 3(1)(i) of the Scheduled Castes and The Scheduled Tribes (Prevention of Atrocities) Act, 1989, Police Station Civil Lines, Hisar.

2. Per FIR allegations, on 02.10.2018 the petitioner and his accomplice assaulted the complainant. The motive attributed was that the petitioner was litigating with his wife, to whom the complainant extended help and due to this the petitioner was annoyed with the complainant.

3. Learned counsel for the petitioner submits that petitioner is in custody since 16.11.2018. FIR was belatedly lodged after two days of the occurrence with a manipulated version, contends the counsel. According to him, there is no specific attribution of injury to the petitioner. No offence under Section 307 IPC is made out. From a bare perusal of FIR, no offence under SC

& ST Act, *ibid*, is attracted. He further submits that, per petitioner, complainant is allegedly having illicit relations with wife of the petitioner. According to him, out of 14 prosecution witnesses, 10 have been examined and further trial is held up due to pandemic and is not likely to conclude soon.

4. On the other hand, learned State counsel opposes the bail plea. He, however, admits that trial is held up due to Covid-19 pandemic and trial is not in progress.

5. The petitioner is in custody since 16.11.2018. The trial is not likely to commence and/or conclude anytime soon on account of the fact that the Courts are working with restrictions due to Covid-19 pandemic. Only urgent matters are being entertained. In this scenario, there is no likelihood of the trial concluding in near future.

6. In the circumstances, the petition is allowed. The petitioner shall be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/ Duty Magistrate, Hisar, as the case may be.

JULY 13, 2020
Jiten

(ARUN MONGA)
JUDGE

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