

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-16585-2020 (O&M)

Date of Decision: 13.07.2020

Devender @ Rinku

... Petitioner

VS.

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Anil Ghanghas, Advocate for the petitioner

Mr. Sukhdeep Parmar, DAG, Haryana

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video conferencing on account of lockdown due to outbreak of COVID-19 pandemic.

The petitioner Devender @ Rinku aged 32 years has filed the present petition *inter alia* with a prayer for grant of regular bail. He has been allegedly involved in case FIR No.178 dated 19.07.2019 under Sections 147/148/149/323/341/379-B/427/506 IPC and Section 307 IPC (added later on) registered at PS Badhra, District Charkhi Dadri.

Learned counsel based upon the pleadings submits that the petitioner has been falsely implicated. He submits that the injured Sanjay and Ajit were got admitted in Govt. Hospital, Dadri after a delay of 6 to 8 hours. He then submits that the alleged role attributed to the petitioner is of causing *binda* (wooden handle of spade) blow.

Notice of motion.

On the asking, Mr. Sukhdeep Parmar, DAG, Haryana accepts notice on behalf of the respondent through video conferencing.

On the asking, learned State counsel informs that challan *qua* the other co-accused was submitted on 23.11.2019. He further submits that the

petitioner only surrendered on 30.05.2020. There were 2 earlier cases against him: in one case the petitioner was acquitted and in the other, he is facing trial.

Faced with this, learned counsel for the petitioner submits challan has been presented in November, 2019. There are 15 witnesses and the charges *qua* the petitioner are yet to be framed. Counsel further submits that the brother of the petitioner Mukesh has been granted bail vide order dated 10.01.2020 passed in CRM-M-55439-2019.

Counsel then submits that due to COVID situation retention of the petitioner in jail is dangerous to his life and otherwise also the trial is likely to take some time.

In view of the above, this Court deems it appropriate to release the petitioner on regular bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the Duty Magistrate/trial court concerned.

In view of the peculiar circumstances as noticed above, in addition to bail bonds/additional surety which the trial court may further require the petitioner to furnish as it deems appropriate, the petitioner is directed to deposit Rs.50,000/- with the Duty Magistrate/trial Court which shall be disbursed to the injured toward medical expenses.

However, it is made clear that anything observed herein shall not be construed to be an expression on merits of the case.

Disposed of.

13.07.2020

vishal shonkar

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

(Girish Agnihotri)
Judge

- Yes/No**
Yes/No