

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRM-M-17265-2020

Date of decision: 20.07.2020

Sandeep

....Petitioner

versus

State of Haryana

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Neeraj Yadav, Advocate for the petitioner.

Mr. Gurbir Singh Dhillon, Asst. AG, Haryana.

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-Sandeep, stated to be aged 26 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR 0009 dated 09.01.2020 (Annexure P-1), registered under Sections 376, 452 & 506 of Indian Penal Code (Section 294 of IPC and Sections 3 & 4 of SC and ST Act were added later) at Police Station Kosli, District Rewari.

Learned counsel for the petitioner, based on the pleadings, firstly submits that the alleged incident is of 11.09.2019, whereas, the FIR has been lodged on 09.01.2020. He secondly submits that the petitioner and complainant were known to each other and to support his submissions, learned counsel refers to photographs annexed at Annexure P-2.

On instructions from SHO Raj Kumar, learned State counsel submits that challan has been presented in March 2020. it is submitted that there are total of 15 witnesses and none has been examined till date. The case is now fixed for 08.09.2020 for framing of charges.

Faced with the situation, learned counsel for the petitioner submits that because of COVID-19 situation, the trial is likely to take some time and detention of the petitioner in jail would be dangerous to his life, hence, the petitioner may be granted concession of regular bail.

In view of the peculiar facts and circumstance as noticed above, considering the existing situation due to COVID and the fact that trial is likely to take time, this Court deems it appropriate to direct release of the petitioner on regular bail to the satisfaction of trial Court/Duty Magistrate concerned, subject to his furnishing bail/surety bonds. However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

20.07.2020

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Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No