

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

203**CRM-M-18052-2020 (O&M)****Date of decision: 27.07.2020****Kapil @ Bittu****.....Petitioner****versus****State of Haryana****....Respondent****CORAM: Hon'ble Mr. Justice Girish Agnihotri****Present:** Mr. Piyush Aggarwal, Advocate for the petitioner.**Mr. Vikrant Pamboo, DAG, Haryana.***(the aforesaid presence is being recorded through video
conferencing since the proceedings are being conducted in Virtual Court).***********GIRISH AGNIHOTRI, J. (Oral)**

Petitioner-Kapil @ Bittu stated to be aged 26 years, has filed the present petition *inter alia* praying for grant of regular bail in case FIR No.0465 dated 04.11.2019, under Sections 379-B, 201, 34 of IPC, registered at Police Station Khedki Daula, District Gurugram.

Learned counsel for the petitioner based on pleadings submits that the petitioner has been falsely implicated in this case. The incident is stated to be of 03.11.2019 whereas the FIR was lodged on 04.11.2019. There are total of 10 witnesses but none has been examined till date. Learned counsel however submits that due to the present COVID-19 situation and also the fact that trial is likely to take some time, detention of the petitioner in jail is dangerous to his life, therefore, petitioner is entitled for regular bail.

Learned State counsel, on instructions from SI Rajpal, submits that there are total of 10 witnesses but none has been examined till date. On

a question put by this Court, he submits that the petitioner is not involved in any other case.

In view of the peculiar facts as noticed above, considering the existing situation due to COVID-19 and the fact that trial is likely to take some time, this Court deems it appropriate to direct the release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds. However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

It is made clear that in case the petitioner found involved in any other subsequent case, the prosecution is free to apply for cancellation of bail.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

27.07.2020

jyoti3

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