

CRM-M-17251-2020 (O&M)

Date of Decision : 14.08.2020

Sunil Kumar

....Petitioner

Versus

State of Haryana

....Respondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present: Mr. Raman Chawla, Advocate for the petitioner.

Mr. Anant Kataria, DAG, Haryana.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of Covid-19 pandemic.
2. Prayer in the petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner during pendency of trial in case FIR No.443 dated 25.09.2019, registered under Section 307 IPC and Section 25 Arms Act, to which Section 506 IPC was added subsequently, at Police Station City Gohana, District Sonipat.
3. Learned counsel for the petitioner contends that as is evident from the statement of complainant, Annexure R/1 and affidavit Annexure R/2, attached to the status report, filed by the State, the matter has been amicably settled between the petitioner and the complainant during the pendency of the trial.
4. Learned Counsel contends that in the aforementioned circumstances the petitioner is entitled to be released on regular bail in view of gunshot injury on the complainant being on non-vital part of the body, matter

take considerable period of time in view of circumstances prevailing on account of Covid-19 pandemic.

5. Learned Deputy Advocate General has not controverted the factual position as noted above.

5. In view of the gunshot injury on the complainant being on non-vital part of the body, matter having been amicably settled amongst the parties and trial likely to take time for conclusion in view of prevailing circumstances on account of Covid-19 pandemic, no useful purpose would be served by keeping the petitioner in custody. Accordingly, without commenting upon the merits of the case, the petition for regular bail is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing bail / surety bonds to the satisfaction of learned trial Court / CJM / Duty Magistrate, concerned, provided he is not required in any other case.

6. However, nothing stated hereinabove would be construed as an expression of opinion on the merits of the case.

(B.S. Walia)
Judge

14.08.2020

'Rajesh/PS'

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