

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

**206**

**CRM-M-18064-2020 (O&M)  
Date of decision: 27.07.2020**

**Hari Kishan****.....Petitioner**

**versus**

**State of Haryana****....Respondent****CORAM: Hon'ble Mr. Justice Girish Agnihotri**

Present: Mr. Yogeshwar Dayal Kaushik, 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).*

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**GIRISH AGNIHOTRI, J. (Oral)**

Petitioner-Hari Kishan stated to be aged 18 years, has filed the present petition *inter alia* praying for grant of regular bail in case FIR No.959 dated 17.12.2019, under Sections 147, 149, 323, 325, 506 of IPC (Sections 307 and 34 IPC added later on), registered at Police Station District Faridabad (Haryana).

Learned counsel for the petitioner based on pleadings submits that the perusal of the FIR would show that it was the complainant who had visited the house of the petitioner. He further submits that rather the petitioner had come in agitated state of affairs as is evident from the FIR. He then submits that no sharp edged weapon or otherwise has been recovered from the petitioner except the wooden leg of the Cot/wooden beakon.

Learned State counsel submits that as per the allegations in the FIR, the complainant had gone to the petitioner's house to complain against teasing of the sister by the petitioner and other family members. He submits that the injured had initially become unconscious and thereafter remained hospitalized.

Faced with the situation, learned counsel for the petitioner submits that an affidavit dated 23.06.2020, has been sworn by the complainant-Neeraj Kumar Giri, to the effect that he fell down from his home stairs and sustained injuries in the head. It has been further stated in the affidavit that he would not object to the bail of Hari Kishan(present petitioner). He then submits that there are total of 16 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.

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. In addition to the bail bonds, the petitioner would deposit Rs.2 lacs with the Duty Magistrate/Trial Court concerned which may further be disbursed to the injured as medical expenses. 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

27.07.2020  
 *jyoti3*

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