

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

CRM-M-18228-2020 (O&M)

Date of decision: 28.07.2020

Sonu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Devinder Singh, Advocate for the petitioner.

Mr. Karan Sharma, AAG, Haryana.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

This petition for regular bail has been filed by petitioner Sonu, aged about 32 years, an accused in FIR No.378 dated 29.09.2016, for offences under Sections 324, 506 and 34 IPC (Section 307 IPC added later on), registered with Police Station Tosham, District Bhiwani.

Briefly stated facts of the case as per prosecution story are that, on 18.08.2016 at about 9.30 PM, complainant Surinder Singh son of Jai Lal, an agriculturist by occupation was sleeping on a cot in the street in front of his house when on hearing noises, he woke up and saw that Munna son of Munshi Ram and his wife Kavita were rushing towards him. On being enquired by the complainant, Munna disclosed

that Sonu son of Ganga Ram (present petitioner) resident of their village was beating him and his wife; in the meanwhile, Sonu came there; complainant asked from Sonu as to why he was beating up Munna and his wife, at which Sonu stabbed the complainant in his abdomen with a knife. The complainant raised alarm which attracted his son Sant Kumar; then Sonu ran away from the spot along with his weapon. Complainant-injured was taken to hospital. He was medically treated; the matter was reported to the police and formal FIR was registered. Accused was arrested in this case. On completion of investigation and other formalities, he was challaned; the challan against the accused was presented in the Court and he is being tried. The trial is at the fag end, though, proceedings therein are said to have been held up for the time being on account of Corona Pandemic.

Petitioner/accused Sonu had filed a petition for grant of regular bail before Court of Sessions at Bhiwani, which was dismissed by Addl. Sessions Judge, Bhiwani, vide order dated 14.05.2020. As such, he has approached this Court, craving for grant of similar relief, which request is being opposed by learned State counsel.

I have heard learned counsel for the parties besides going through the record.

The bail application of the petitioner was dismissed by the trial Judge, vide order dated 14.05.2020. The operative part of the order, for ready reference is reproduced as under:-

|7. In the case in hand, the evidence of the prosecution has been concluded and the case is now fixed for defence evidence. In

fact, it is the defence now, which is seeking adjournments for leading defence evidence, otherwise the case is already ripe. In any case, much time would not be taken now in conclusion of the trial keeping in view the fact that the entire evidence of the prosecution has been recorded and a number of opportunities have been granted to the defence side also for leading defence evidence. In these circumstances, keeping in view the fact that the trial of the case is almost at the final stage, there is no requirement to release the applicant-accused on bail. Hence, the bail application of applicant-accused Sonu stands dismissed.”

The allegations against the petitioner are very grave and serious of stabbing an innocent person, causing injury on a vital part clearly with an intention to commit his murder. The trial against him is almost complete. As observed by learned Addl. Sessions Judge, Bhiwani, the petitioner/accused is seeking adjournments for leading defence evidence, otherwise, the case is almost ripe for decision and is likely to be decided very soon.

Though, learned counsel for the petitioner has submitted that on account of Corona Pandemic, proceedings in the trial Court have been held up. May it be so but that is hopefully for short duration and things are bound to return to normal very soon. Keeping in view the totality of circumstances, there is absolutely no ground to grant regular bail to the petitioner. The petition so moved by him stands dismissed.

28.07.2020

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**(H.S. MADAAN)
JUDGE**

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