

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

206**CRM-M-18714-2020 (O&M)****Date of decision: 07.08.2020****Gokul Puri @ Ram Dalel****.....Petitioner****versus****State of Haryana****....Respondent****CORAM: Hon'ble Mr. Justice Girish Agnihotri**

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

Mr. Rajeev Goel, 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-Gokul Puri @ Ram Dalel, stated to be aged 41 years, has filed the present petition *inter alia* praying for grant of regular bail in case FIR No.42 dated 14.03.2020, under Section 302 IPC, registered at Police Station Nigdhu Karnal, District Karnal, Haryana.

Learned counsel for the petitioner based on pleadings submits that the FIR has been registered against unknown persons and petitioner is not named in the FIR. He submits that the petitioner is a person of good reputation and he has been arrested on baseless suspicion created by the Investigating Officer. Learned counsel further submits that the petitioner was in fact out of station on the invitation of Mehant of Dhamtan Sahib to attend their function. It is further the pleaded case of the petitioner that petitioner is himself disciple of the Mehant Devi Puri, who was the earlier

successor of communion table of Dera Onkar Khera and after the death of Mehant Devapuri, Omkar Puri (now deceased) become the successor of communion table of Dear Onkar Khera and petitioner was looking after the Dera Baba (Matth) at Village Bir-Badalva and also managing the functions of the Dera Baba (Matth) along with the deceased. He further goes on to submit that as per postmortem report the death was caused 'due to suffocation'. The pleaded case of the petitioner is that the deceased's hand was burnt in fire, as his blanket caught fire from the Angeethi present in the room.

Learned State counsel, however, submits that in para 2 of the short affidavit filed by Sh. Ramesh Kumar, HPS, Dy. Superintendent of Police, Indri, Karnal, the whole position has been clarified. He further submits that the challan in this case has been presented on 19.05.2020 and the case is now fixed for appearance of the accused on 07.08.2020.

Faced with the situation, learned counsel for the petitioner submits that the petitioner is a respectable person and is not likely to abscond. He however submits that the petitioner was arrested on 20.03.2020. Learned counsel for the petitioner then 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 may be granted concession of 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. 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

07.08.2020

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