

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

CRM-M No. 18916 of 2020 (O&M)

Date of decision: 17.07.2020.

Rahul

..... Petitioner.

Versus

State of Haryana

..... Respondent.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Saurabh Sharma, Advocate, for the petitioner.

Mr. Amit Aggarwal, DAG, Haryana, for the respondent.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No. 107 dated 28.04.2017, under Sections 120-B and 307 read with Section 34 of the Indian Penal Code, 1860, besides Section 25 of the Arms Act, 1959 [Section 3 (2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, added later on], registered at Police Station Julana, District Jind.

Learned counsel for the petitioner contends that the allegations in the FIR against the petitioner are that he had pointed a pistol at the complainant, but before he could fire a shot the same was snatched by the complainant. He also contends that co-accused, namely, Krishan, who had fired a shot at the complainant, has been granted regular bail by a Coordinate Bench of this Court by order dated 30.01.2020 passed in CRM-M No. 490 of 2020. He also contends that the petitioner is in custody for over three years and three months and the complainant has not supported the prosecution case

qua the involvement of the petitioner. He further contends that the trial is not proceeding due to the covid-19 pandemic.

Learned State counsel states that nineteen out of twenty prosecution witnesses have been examined by the prosecution. However, he is not in a position to controvert that the complainant has not supported the prosecution case. He also contends that the petitioner is involved in several other cases as well.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner is in custody for over three years and three months, co-accused, namely, Krishan has already been granted bail, the covid-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it is made clear that the petitioner shall report to the Station House Officer, Police Station Julana, on every Monday till the conclusion of the trial.

(ANUPINDER SINGH GREWAL)
JUDGE

17.07.2020
Ramesh

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No