

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-19185-2020 (O&M)

Date of Decision: 05.08.2020

Surinder @ Kala

... Petitioner

VS.

State of Haryana

... Respondent

CRM-M-19188-2020 (O&M)

Date of Decision: 05.08.2020

Parduman

... Petitioner

VS.

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. GS Sullar, Advocate and
Mr. Ashish Grewal, Advocate
for the petitioner(s)

Mr. Amit Aggarwal, DAG Haryana

Mr. Namit Khurana, Advocate for the complainant

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video conferencing on account of lockdown due to outbreak of COVID-19 pandemic.

This order shall dispose of the above-cited two criminal miscellaneous petitions filed by one Surinder @ Kala (**CRM-M-19185-2020**) and another by Parduman (**CRM-M-19188-2020**) *inter alia* praying for grant of regular bail to them. Both the petitioners have been allegedly involved in case FIR No.110 dated 03.09.2019 under Sections 306/376/370/328/366/385/341/216/406/120-B IPC registered at PS Jathlana, District Yamuna Nagar. CRM-M-19185-2020 is being treated as the lead case for the purposes of order.

Both the learned counsel for the petitioners submit that in fact the petitioner Surinder @ Kala was arrested on 09.09.2019 and petitioner Parduman was arrested on 03.09.2019. Based upon the pleadings in the petition, it has been submitted that the Neha was married to one Dalip Kumar but no offence could allegedly be attributed to the petitioners.

Notice of motion.

On the asking, Mr. Amit Aggarwal, DAG Haryana accepts notice through video conferencing.

Learned State counsel as well as counsel for the complainant submit that in fact because of the allegations made in the complaint, the said girl namely, Neha had allegedly consumed poison and had died. Counsel for the State further submits that the father of the complainant is yet to be examined. The challan has been presented and the charges have already been framed.

Faced with this, learned counsel for the petitioners submit that the co-accused Rajesh has already been granted bail by this Court on 24.06.2020 in **CRM-M-14382-2020 (Rajesh Kumar vs. State of Haryana)** (P5). In the said order, it has been noticed that there are 27 witnesses, which are yet to be examined.

Faced with this, learned counsel for the petitioners submit that due to COVID situation retention of the petitioners in jail is dangerous and otherwise also the trial is likely to take some time.

In view of the above, this Court deems it appropriate to release the petitioners on regular bail subject to their furnishing adequate bail bonds/surety bonds to the satisfaction of the Duty Magistrate/trial court concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression on merits of the case.

Disposed of.

05.08.2020

vishal shonkar

(Girish Agnihotri)
Judge

- 1. *Whether speaking/reasoned?*
- 2. *Whether reportable?*

Yes/No
Yes/No