

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-20157 of 2020

Date of Decision: 24.07.2020

Manga

...Petitioner (s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Arpandeeep Narula, Advocate
for the petitioner.

Mr. Harpreet Kaur, AAG, Haryana.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.150 dated 09.09.2015 under Sections 323/341/147/149/32/307 IPC registered at Police Station Baragudha, District Sirsa.

Learned counsel for the petitioner submits that earlier also, the petitioner was admitted on bail by this Court vide order dated 29.11.2016 passed in CRM-M-37626-2016 *Manga Vs. State of Haryana*, however, on 10.02.2020, though the petitioner was present in the trial Court in pre-lunch session, but he could not turn up in the post-lunch session and therefore, his bail was cancelled. The petitioner has surrendered before the trial Court on

25.02.2020 and since then he is in custody. The case before the trial Court is fixed for 13.10.2020. He further submits that there as many as 20 witnesses cited by the prosecution and only 9 witnesses have been examined so far and 5 witnesses have been summoned for the next date. However, the trial in the case is not proceeding on account of Covid 19.

Learned State counsel does not dispute the custody of the petitioner and the fact that earlier also, he was admitted on bail.

I have heard learned counsel for the parties.

Admittedly, the prosecution evidence is yet to be completed, as only 9 witnesses out of 20 witnesses cited by the prosecution have been examined so far. The trial in the case is being adversely affected due to pandemic Covid 19 and the same is not likely to be concluded in near future. Considering the fact that earlier also, the petitioner was on bail and it is only on account of his absence before the trial Court on one date, his bail was cancelled, this Court deems it appropriate to release the petitioner on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

July 24, 2020
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No