

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

CRM-M No. 20313 of 2020
Date of decision: 27.07.2020.

Deepak @ Tony

..... Petitioner.

Versus

State of Haryana

..... Respondent.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Vikram Lakhlan, Advocate, for the petitioner.

Mr. Gaurav Gurcharan Singh Rai, DAG, Haryana,
for the respondent-State.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No. 103 dated 06.03.2017, under Sections 307, 34 and 120-B of the Indian Penal Code, 1860, besides Sections 25 and 27 of the Arms Act, 1959, registered at Police Station Kharkhoda, District Sonipat.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and has been arraigned as an accused after one year of the registration of the FIR. No motive has been attributed to the petitioner and it is alleged by the complainant in his statement to the police after over an year that the petitioner had fired shots at the behest of co-accused Rajbir Singh. The petitioner is in custody for over two years and one month while 18 out of 32 witnesses, including the complainant and the injured, have been examined. He also contends that due to covid-19 pandemic, the trial has not made any progress since March, 2020. The petitioner is 26 years of age and

is not involved in any other criminal case. He further contends that the complainant and the injured had suffered injuries on the waist and stomach and they have fully recovered therefrom.

Learned State counsel contends that the petitioner had fired shots which had hit the injured and, therefore, he is not entitled to the concession of regular bail.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner is in custody for over two years and one month, he is not involved in any other criminal case; the complainant and the injured have been examined, 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 not make any effort to contact any of the witnesses and shall appear before the Station House Officer, Police Station Kharkhoda, on every Monday till the conclusion of the trial.

(ANUPINDER SINGH GREWAL)
JUDGE

27.07.2020
Ramesh

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No