

CRM-M-21246-2020

Date of decision August 13, 2020

DEEPAK

....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Priyavrat Prashar, Advocate for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

The petitioner prays for bail pending trial in FIR No. 464 dated 19.10.2019 under Sections 148, 149, 323, 341, 506 IPC and Section 3(2) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act registered at Police Station Civil Lines, Kaithal, Haryana.

It is submitted that the petitioner has been falsely implicated in the abovementioned FIR. Moreover, no specific injury has been attributed to the present petitioner, who is alleged to have been armed with a Lathi. It is further submitted that a co-accused namely Sushil @ Sili who is attributed a Gandasi blow has been afforded the concession of bail in CRM-M-15422-2020 (Annexure P4). It is, thus, prayed that this petition be allowed.

I have heard learned counsel for the parties.

Learned counsel for the State, on instructions from DSP Kulwant Singh, is unable to deny that the petitioner is not attributed with any specific

injury. He is further unable to distinguish the case of the present petitioner from that of co-accused Sushil @ Sili. The petitioner is in custody since 04.01.2020. Due to outbreak of the pandemic, COVID-19, not much progress is being made towards the conclusion of the trial.

There are no allegations on behalf of the State that petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts, if released on bail.

No useful purpose shall be served by keeping the petitioner incarcerated any longer. Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition.

Consequently, the petitioner be released on bail pending trial subject to his furnishing requisite bail bonds and surety to the satisfaction of the learned trial Court/concerned Duty Magistrate.

It is reiterated that none of the observations made herein above are a reflection on the merits of the case and shall have no bearing on the trial.

August 13, 2020
rts

(Lisa Gill)
Judge

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No