

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

208

CRM-M-21446-2020 (O&M)

Date of decision : 20.08.2020.

Rohtash @ Dholu

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Kanwaljit Singh Brar, Advocate for the petitioner.

Mr. Kapil Bansal, DAG, Haryana.

Mr. Gurwinder Sidhu, Advocate for the complainant.

Anupinder Singh Grewal, J. (Oral)

CRM No.20107 of 2020

This application is for seeking amendment/correction in the head note of the petition as the offence under Section 364-A IPC has been added during investigation.

Heard through video conferencing. For the reasons stated in the application, the same is allowed and Section 364-A IPC is added in the head note of the petition. Registry is directed to make necessary amendment accordingly.

CRM-M-21446-2020

The petitioner is seeking regular bail in FIR No.91 dated 29.04.2020, under Sections 323, 365 IPC (Sections 325, 367, 364-A & 34 IPC added later on), registered at Police Station Nathusarai Chopta, District Sirsa.

Learned counsel for the petitioner contends that the allegations in the FIR are that the petitioner and other accused had abducted the complainant, beaten up and forcibly given him alcohol. It is also alleged that the complainant was forcibly asked to make a call to his parents that he had stolen money from the liquor shop and he has to give them ₹30,000/-. The complainant was left in the

village on the same day. Learned counsel further contends that the complainant has fully recovered from the injuries and the petitioner is in custody for over three months. He also contends that co-accused, namely, Shankar had filed the complaint on 27.04.2020 against Naresh Kumar, who is the complainant in the instant case but the FIR was registered subsequently on 30.04.2020.

Learned State counsel contends that although challan has been filed against the petitioner and two other accused on 03.08.2020 but charges are yet to be framed.

Learned counsel for the complainant, however, contends that it is apparent from the order of the Additional Sessions Judge, Sirsa rejecting bail of the petitioner that the FIR which had been lodged by co-accused, namely, Shankar has not been found to be a counter blast to the instant case and is not worthy of much credence.

Heard through video conferencing.

In view of the submissions of the learned counsel for the petitioner, especially when the petitioner is in custody for over 03 months, 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 instant 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.

(ANUPINDER SINGH GREWAL)
JUDGE

August 20, 2020
sonia gugnani

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No