

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

206

CRM-M-21413-2020

Date of Decision:25.09.2020

Sandeep

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Mr. Narender Kaajla, Advocate,
for the petitioner.

Ms. Gaganpreet 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 this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.598 dated 01.12.2019 under Section 328 IPC (the offences under Section 120-B, 34 IPC were added later on), registered at Police Station HTM, Hisar.

The allegation against the petitioner is that on 30.11.2019 at about 8.00 PM, co-accused Pooja cooked Dal and Rice and gave it to her husband Suresh Kumar and his children to eat and due to this, condition of the daughter of the complainant deteriorated and she started crying. She was taken to the Civil Hospital, Hisar, where the complainant came to know that his wife Pooja has administered tablets to them in the food and tried to kill them. After administering the poisonous substance, co-accused Pooja ran away from her house in the night.

Learned counsel for the petitioner submits that the petitioner is

in custody since 28.12.2019. The police has already submitted challan and

charges have been framed, but no prosecution witness has been examined so far. He further submits that due to prevailing situation of COVID-19 pandemic, there is no possibility that the trial may conclude in the near future.

Learned State Counsel, on instructions from SI Partap Singh, submits that the petitioner has conspired along with co-accused Pooja, who administered poisonous substance to the complainant and his family. She refers to the opinion of the Medical Officer, Civil Hospital, Hisar, dated 18.02.2020 to contend that the doctor has opined that danger to life due to over-dose of tablets, cannot be ruled out.

Heard learned counsel for the parties.

Petitioner is in custody since 28.12.2019. The police has already submitted challan and charges have been framed, but no prosecution witness has been examined so far. Due to prevailing situation of COVID-19 pandemic, trial is not likely to be concluded in the near future. Thus, this Court deems it appropriate to admit the petitioner on bail.

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

However, it is made clear that the observations made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall proceed with the trial independently without being influenced by the order of bail passed by this Court.

September 25, 2020
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No