

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

**CRM-M No. 21894 of 2020
Date of decision: 04.09.2020.**

Ashok Petitioner.

Versus

State of Haryana Respondent.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Aditya Sanghi, Advocate, for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana, for the respondent.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No. 320 dated 27.08.2018, under Sections 148, 149, 323, 302, 307, 452 and 506 of the Indian Penal Code, 1860, registered at Police Station Kanina, District Mahendergarh.

Learned counsel for the petitioner contends that the petitioner has been attributed an injury on the head of Sher Singh injured, who has now fully recovered. He also contends that no injury has been attributed to the petitioner on the person of the deceased. He also contends that the petitioner is in custody for about two years and he was found to be HIV+ in August, 2019, while he was in custody. He also contends that the petitioner is not involved in any other case. He further contends that in view of Covid-19 pandemic, the trial has come to a standstill.

In pursuance of last order of this Court, learned State counsel has filed affidavit of Mr. Vijay Deswal, HPS, Deputy Superintendent of Police, Kanina, District Mahendergarh, wherein it is stated that the petitioner was diagnosed with HIV infection in August, 2019 and since then he has been on follow up with ART Centre and extra calorie, protein, rich diet has been provided to him regularly. A copy of the treatment slips of the petitioner has been appended along with the affidavit.

Learned State counsel, upon instructions from SI Rameshwar, contends that the petitioner is in custody since 01.10.2018 and the trial is near completion which is fixed for 05.10.2020 for defence evidence, if any, and arguments.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner is in custody for about two years and is a HIV+, he is not involved in any other criminal case, the conclusion of the trial is likely to take some time due to covid-19 pandemic, 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.

(ANUPINDER SINGH GREWAL)
JUDGE

04.09.2020
Ramesh

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