

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

114

CRM-23293-2020 in/and
CRM-M-22095-2020
Date of decision: 24.09.2020

Sonu

.....Petitioner

versus

State of Haryana

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Sunny Bhardwaj, Advocate
for the petitioner.

Mr. Rajiv Goel, DAG, Haryana.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of restrictions due to outbreak of pandemic COVID-19.

CRM-23293-2020

The present application has been filed by the applicant-petitioner *inter alia* with a prayer for preponing the date of hearing in the main case from 06.10.2020 to some actual date.

Notice of the application.

On asking of the Court, Mr. Rajiv Goel, DAG, Haryana, accepts notice on behalf of the respondent-State and he has no objection if the date of hearing in the main case be preponed.

For the reasons mentioned in the application, the same is allowed

and the main case is taken up for hearing today itself i.e. 24.09.2020.

Main case

Petitioner-Sonu, stated to be aged 27 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.169 dated 31.07.2018, registered under Sections 148, 149, 323, 325, 452, 216 & 302 of Indian Penal Code, at Police Station Bond Kalan, District Charkhi Dadri, Haryana.

Learned counsel for the petitioner, at the outset, submits that co-accused namely Harpal, Mala Ram, Naresh and Ramesh @ Bholu, have been granted concession of regular bail by this Court vide orders dated 26.02.2020, 22.05.2020, 13.07.2020 & 28.08.2020, passed in CRM-M-2300-2020, CRM-M-9383-2020, CRM-M-16436-2020 & CRM-M-23683-2020 respectively. He then submits that the petitioner was arrested two years back i.e. on 09.08.2018 and he has completed more than two years of custody. The alleged role attributed to the petitioner is that he had hit with a *lathi*.

On instructions from ASI Ashok Kumar, learned State counsel submits that challan in this case has been presented on 24.10.2018 and the charges were framed on 23.07.2019. It is also stated that there are total of 32 witnesses, out of which 09 have been examined and 23 are still to be examined.

Faced with this, learned counsel for the petitioner submits in view of the COVID situation, detention of the petitioner in jail would be dangerous to his life and also the fact that trial is likely to take some time,

the petitioner may be granted concession of regular bail.

In view of the peculiar facts noticed above and the present situation due to COVID-19 and also the fact that trial is likely to take some time, this Court deems it appropriate to direct release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds.

However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

Accordingly, the present petition stands disposed of.

**(GIRISH AGNIHOTRI)
JUDGE**

24.09.2020

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Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No