

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105)

CRM-M-23072 of 2020

Date of Decision: 19.08.2020

Ashish @ Ashu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Abhishek Sindwanai, Advocate, for the petitioner.
Mr. Praveen Bhadu, AAG, Haryana.

Amol Rattan Singh, J. (Oral)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 Pandemic.

By this petition, filed under the provisions of Section 439 of the Cr.P.C, the petitioner seeks the concession of 'regular bail', upon FIR no.371, dated 13.11.2019, having been registered at Police Station Sadar, District Jind, alleging therein the commission of offences punishable under Section 307 of the IPC and Sections 25, 54 and 59 of the Arms Act, 1959.

Learned counsel for the petitioner refers to the order dated June 16, 2020 passed by this court in CRM-M-13832 of 2020, which reads as follows:-

“All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

This petition has been filed under the provisions of Section 439 of the Cr.P.C. for the grant of 'regular bail' to the petitioner, in case FIR no. 371 dated 13.11.2019, registered at Police Station Sadar, District Jind, for the

alleged commission of offences punishable under Sections 307 of the IPC and Sections 25/54/59 of the Arms Act.

Having looked at the allegations made in the FIR, without making any comment on them at this stage, I do not deem it appropriate to admit the petitioner to bail, at this stage at least.

However, learned counsel for the petitioner submits that the trial is not progressing at all due to the current pandemic, with the next date of hearing being 13.07.2020.

Consequently, this petition is dismissed but with a direction issued to the trial court to ensure that effective proceedings are held on 13.07.2020, as now even witnesses are being produced before different courts in different cases.”

He submits that however, thereafter when the matter came up for hearing before the learned trial court (Sessions Judge, Jind), on 13.07.2020, again no proceedings actually took place, with the following order passed:-

“Present:None

The parties/counsels are abstaining to appear before the court due to spread of Covid-19. To come up on 24.08.2020 for arguments on charge.

Sd/-
(Baljeet Singh)
Sessions Judge, Jind
(UID no.HR0039)
13.07.2020”

Despite the above, since this court was not agreeing with his arguments, after arguing for some time, learned counsel for the petitioner submits that he does not press this petition.

Dismissed as withdrawn, at this stage.

19.08.2020

vcgarg

(AMOL RATTAN SINGH)

JUDGE

Whether speaking/reasoned :Yes

Whether Reportable :No