

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

206**CRM-M-23946-2020****Date of decision: 27.08.2020****Ramesh****.....Petitioner****versus****State of Haryana****....Respondent****CORAM: Hon'ble Mr. Justice Girish Agnihotri**

Present: Mr. Tushar Gautam, Advocate, for the petitioner.

Mr. Rajiv Goel, DAG, Haryana.

*(the aforesaid presence is being recorded through video
conferencing since the proceedings are being conducted in Virtual Court).*

GIRISH AGNIHOTRI, J. (Oral)

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

Petitioner-Ramesh, stated to be aged 20 years, has filed the present petition under Section 439 Cr. P.C. *inter alia* praying for grant of regular bail in case FIR No.465 dated 04.11.2019, under Sections 379-B, 201, 34 IPC, registered at Police Station Kherki Daula, District Gurugram, Haryana.

At the outset, learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. The incident is sated to be of 03.11.2019 whereas the FIR was lodged on 04.11.2019. There are total of 10 witnesses but none has been examined till date. He then submits that the co-accused, namely Kapil @ Bittu, has already been granted bail by this Court vide order dated 27.07.2020 passed in *CRM-M No.18052 of 2020*, titled as '*Kapil @ Bittu Vs. State of Haryana*' and thus the petitioner seeks

the similar relief as granted to the co-accused. Learned counsel, however, submits that due to the present COVID-19 situation and also the fact that trial is likely to take some time, detention of the petitioner in jail is dangerous to his life, therefore, petitioner is entitled for regular bail.

Learned State counsel, on instructions from SI Rajpal, submits that there are total of 10 witnesses but none has been examined till date. On a question put by this Court, he submits that the petitioner is not involved in any other case.

In view of the peculiar facts as noticed above, considering the existing situation due to COVID-19 and the fact that trial is likely to take some time, this Court deems it appropriate to direct the 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.

It is made clear that in case the petitioner found involved in any other subsequent case, the prosecution is free to apply for cancellation of bail.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

27.08.2020

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