

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

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CRM-M-24132-2020

Date of decision : 27.08.2020.

Jitender Singh @ Jinda

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Jagjot Singh Lalli, Advocate for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.714 dated 15.10.2019, under Sections 120-B, 148, 149, 295, 302, 307, 323, 324, 326, 427, 452, 506 IPC, Sections 25/54/59 of the Arms Act and Sections 3(I)(V), 3(2)(v) and 4 of the SC/ST Act, registered at Police Station Assandh, District Karnal.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein 12 persons have been specially named and the deceased had received a gun shot wound which is attributed to co-accused, namely, Ajay Pal Singh. The injuries with sword etc. which are alleged to have been caused on two injured are also attributed to other accused, who are duly named in the FIR. He further contends that there is no allegation against the petitioner which would amount to a *prima facie* case under the SC/ST Act. The petitioner has been arraigned as an accused on the statement of co-accused and none of the injured or eye-witnesses has named the petitioner in their statements recorded by the police. He also contends that the petitioner is in custody for over 10 months and is not involved in any other criminal case.

Learned State counsel, upon instructions from Inspector Ramesh Chander, contends that the motorcycle which was used by the co-accused belongs to the petitioner. She also contends that the challan has been filed but charges are yet to be framed.

Heard through video conferencing.

In view of the submissions of the learned counsel for the petitioner, especially when the petitioner is not named in the FIR wherein 12 persons have been specifically named; he is in custody for over 10 months; he is not involved in any other criminal case; the COVID-19 pandemic and the conclusion of the trial is likely to take some time, 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 instant 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

August 27, 2020
sonia gugnani

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