

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

213 - CRM-M-24506-2020 (O&M)

Date of Decision: 03.09.2020

Rambir

... Petitioner

VS.

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Ravinder Phogat, 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 lockdown due to outbreak of COVID-19 pandemic.

Petitioner-Rambir, stated to be aged 56 years, has filed the present petition under Section 439 Cr.P.C., *inter alia* with a prayer for grant of regular bail in case FIR No.169 dated 31.07.2018, under Sections 148/149/323/325/452/216/302 IPC, registered at Police Station Bond Kalan, District Charkhi Dadri, Haryana.

At the outset, learned counsel for the petitioner, by making reference to the orders dated 26.02.2020 (in CRM-M-2300-2020 titled as Harpal vs. State of Haryana); dated 22.05.2020 (in CRM-M-9383-2020 titled as Mala Ram vs. State of Haryana); dated 13.07.2020 (in CRM-M-16436-2020 titled as Naresh vs. State of Haryana) and dated 10.08.2020 (in CRM-M-20375-2020 titled as Mukesh Kumar vs. State of Haryana) submits that co-accused(s) have been granted bail by this Court. He further submits that the petitioner was arrested on 02.08.2018. He then submits that the petitioner has been falsely implicated and has no concern with the present case and even no injury has been allegedly attributed to the petitioner.

Learned State counsel, on instructions from SI Haresh Kumar, submits that challan in this case has been presented on 29.10.2018. It is further submitted that after presentation of challan, only 9 witnesses have been examined out of a total of 32 witnesses. Charges in this case were framed on 23.07.2019.

Faced with the situation, learned counsel for the petitioner submits that due to the present COVID-19 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, the present situation due to COVID-19 and the fact that the 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.

The petition stands disposed of accordingly.

03.09.2020

vishal shonkar

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

(Girish Agnihotri)
Judge

Yes/No
Yes/No