

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

**CRM-M-26008-2020 (O&M)
Date of Decision:09.09.2020**

Rabi Bariha @ Raja

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Ms. Harmanpreet Kaur, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

TEJINDER SINGH DHINDSA J.(Oral)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Petitioner seeks benefit of regular bail pending trial in FIR No.175 dated 07.12.2019, under Sections 148, 149, 302 and 323 of IPC, registered at Police Station Alewa, District Jind.

Counsel for the parties have been heard.

FIR has been registered in relation to an occurrence that took place on 06.12.2019 at about 8-8.30 PM. Complainant is Sewa singh and deceased is his brother namely Kuldeep. There are specific allegations made by the complainant against Ajay (Co-acused) having attacked deceased Kuldeep with a gandasa and thereafter son of one Jora Singh having given kick blows on the abdomen and private parts of Kuldeep.

The present petitioner has not been named by the complainant.

It is during the course of investigation that the name of the petitioner has surfaced in the disclosure statement made by Mandeep son of Shamsheer Singh and Ajay.

Even as per such disclosure statement of co-accused no specific injury has been attributed to the present petitioner.

Petitioner was arrested on 25.12.2019.

Investigation in the case is complete, challan stands presented and charges have been framed on 18.08.2020.

Learned State counsel has informed the Court that out of 22 prosecution witnesses cited none had been examined till date. Trial as such would take time to conclude and particularly keeping in view the current Covid-19 situation. Co-accused Harpreet Kumar @ Happy has been granted benefit of bail by this Court vide order dated 04.08.2020 passed in CRM-M-13499-2020.

In view of the above and without making any observation on merits, petitioner is held entitled to the benefit of bail. Petitioner be enlarged on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate, Jind.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

09.09.2020
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No