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

**CRM-M-26675-2020
Date of Decision: 14.09.2020**

Krishan

..... Petitioner

Versus

State of Haryana

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Abhimanyu Singh, Advocate,
for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

SUDIP AHLUWALIA, J. (ORAL)

This is the second petition filed under Section 439 of the Code of Criminal Procedure by the petitioner, seeking regular bail in case FIR No.79 dated 07.05.2018, under Sections 120-B, 147, 149, 186, 302, 307, 332 and 353 of the IPC & Section 25 of the Arms Act, registered at Police Station Siwani, District Bhiwani.

2. The petitioner has remained in detention for almost two years and four months, since the month of May, 2018.

3. Ld. Counsel for the petitioner has drawn attention of the Court to the orders passed by this Court in CRM-M-12704-2020 and by a Co-ordinate Bench of this Court in CRM-M-46015-2018, being Annexuers P-2 and P-1, respectively, vide which co-accused Sunil @ Khairu and Sandeep @ Giglu were ordered to be released on bail, considering their long detention and also

in view of the fact that neither of them was actually present in the occurrence in which shots were fired at Police personnel resulting in the death of EHC Bhagirath and injury upon another Police Officer ASI Gori Shankar. The petitioner herein stands on a similar footing inasmuch as he was also admittedly not present in the actual occurrence and the allegation against him is that he had supplied the weapon/pistol from which the co-accused Manjit and his associate Ajay allegedly fired at the Police Party.

4. It further transpires that as of now, only 15 witnesses out of the total 53 witnesses sited in the challan have been examined from the prosecution side, while evidence of one of them has been given up. The trial thereafter has been held up due to the ongoing COVID-19 Pandemic and there is little possibility of its expeditious completion within a reasonable time.

5. In view of the aforesaid facts and considering the long detention undergone by the petitioner as also without commenting any further on the merits of the present case as a whole, the prayer of the petitioner for releasing him on regular bail is allowed and he is ordered to be released on bail, subject to the appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

6. Disposed off.

14.09.2020*Apurva***(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No