

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

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**210 - CRM-M-26115-2020 (O&M)**

**Date of Decision: 11.09.2020**

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Parveen Kumar & Anr.

... Petitioners

VS.

State of Haryana

... Respondent

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**CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI**

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Present: Mr. Rahul Rathore, Advocate for the petitioners  
Mr. Rajiv Goel, DAG Haryana

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**GIRISH AGNIHOTRI, J. (Oral)**

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

The petitioners Parveen Kumar aged 25 years and Phool Kumar @ Phulu aged 27 years have filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.465 dated 10.10.2019 under Sections 148/149/307/323/379-B/427/455/506/302/120-B IPC registered at PS Sadar Thanesar, District Kurukshetra.

Learned counsel submits that the petitioners have not been named in the FIR. They have also not been named by the material witnesses. Learned counsel then submits that the names of the petitioners were allegedly mentioned in the disclosure statement (allegedly recorded of the petitioners in police custody). He submits that neither any role has been assigned nor any injury attributed to the petitioners either to the deceased or to the injured. Counsel seeks parity on the ground that the co-accused Narinder Kumar and Ankit Kumar have been granted regular bail in CRM-M-15278-2020 and CRM-M-23498-2020 vide orders dated 06.08.2020 and 28.08.2020, respectively. The petitioners are stated to be in custody since 13.10.2019.

Learned State counsel, on instructions from SI Varinder Singh,

total of 37 witnesses out of which 26 still remain to be examined. He opposes the bail on merits but has not been able to dispute the factual position.

Learned counsel for the petitioners then submits that due to the present COVID-19 situation, detention of the petitioners in jail would be dangerous to their life and also the fact that trial is likely to take some time, the petitioners may be granted concession of regular bail.

In view of the facts noticed above, the present situation due to COVID-19 and the fact that trial is likely to take some time, this Court deems it appropriate to direct release of the petitioners on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to their furnishing bail bonds/surety bonds.

In view of the peculiar circumstances as noticed above, in addition to bail bonds/additional surety which the trial court may further require the petitioner to furnish as it deems appropriate, in pursuance to the offer made by counsel for the petitioners, the petitioners would deposit Rs.50,000/- each within one month from the date of their release with the Duty Magistrate/trial Court. This amount shall be treated as interim compensation towards medical expenses incurred by the injured and the same be handed over to the injured Vijay Kumar. The same shall be without prejudice to the defence of the petitioner before the trial Court.

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.

**11.09.2020**

*vishal shonkar*

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

**(Girish Agnihotri)**  
**Judge**

**Yes/No**  
**Yes/No**