

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

CRM-M-27697-2020 (O&M)

Date of decision: 17.09.2020

Umrao Singh

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Manish Soni, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 351 dated 04.08.2019 registered under Sections 148, 149, 323, 341, 427 and 302 IPC, at Police Station Pataudi, District Gurugram.

Learned counsel for the petitioner states that the alleged recovery was a thick stick (*Dang*) from the petitioner and there is no specific injury attributed to the petitioner. He further draws the attention of this Court to Post Mortem Report (Annexure P-2) of deceased-Jagdhir @ Bhohli, wherein as per the opinion of the Medical Officer, injuries No.1 to 4 had been caused with the sharp-edged weapon, whereas injuries No.4 and 5 were caused with the blunt weapon. It was further opined that the death of the deceased was caused with the injuries received from the sharp-edged

weapon.

On the instructions from ASI Subhash Chander, learned State counsel has not disputed the factum of the recovery effected from the petitioner and the death of Jagdhir @ Bhohli emanated from the injuries caused with sharp-edged weapon. He further states that out of 25 prosecution witnesses, only 2 witnesses have been examined so far.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 05.08.2019. Though the case is at the stage of evidence, yet the trial will take time to conclude, especially due to prevailing situation of Covid-19. Thus, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

17.09.2020

Mangal Singh

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No