

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

211 - CRM-M-28642-2020
Date of Decision: 06.11.2020

Randhir Singh

... Petitioner

VS.

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Rahul Bhargava, Advocate for the petitioner

Mr. Saurav Khurana, DAG Punjab

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 petitioner Randhir Singh aged 29 years has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.107 dated 15.10.2019 under Sections 302/34 IPC registered at PS Khanauri, District Sangrur.

Learned counsel based upon the pleadings in the petition submits that the petitioner is not at all concerned with the allegations in the FIR. He submits that it is the case of the petitioner that at the time of the alleged incident (as mentioned by the complainant), the petitioner was not present at the spot. The prosecution story is based upon circumstantial evidence and there is no chain of events. It is submitted that it is highly improbable that the petitioner who had actually come to the house of the complainant with the deceased (injured) would be involved in his killing.

Learned State counsel on instructions submits that the investigation is complete; challan was presented on 15.02.2020 and there are total of 30 witnesses and none have been examined till date. He opposed the

granting of bail and submits that in case bail is granted to the petitioner, it is very likely that he will again indulge in the same crime.

Learned counsel for the petitioner then submits that the petitioner is a young boy of 29 years of age. He has been in custody since 22.10.2019 and has thus completed more than 1 year of custody. Learned counsel 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 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 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.

06.11.2020

vishal shonkar

1. *Whether speaking/reasoned?*

2. *Whether reportable?*

(Girish Agnihotri)

Judge

Yes/No

Yes/No