

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-29357-2020 (O & M)

Date of Decision: September 28, 2020

SATYAWAN

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Jagjeet Beniwal, Advocate for the petitioner.

Mr. Ashok Kumar Sehrawat, DAG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.150 dated 25.06.2019, under Sections 302 and 34 IPC, registered at Police Station Badhra, District Charkhi Dadri.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and had been arraigned as an accused on the supplementary statement of the complainant. However, no motive is attributed to the petitioner. It is a case of circumstantial evidence and the complainant in his deposition before the trial Court as PW-4 has not supported the prosecution case qua the involvement of the petitioner. He further contends that other prosecution witnesses, who have been examined as PW-1, PW-2 and PW-3, have also not supported the prosecution case qua the involvement of the petitioner. He has referred to the copies of statements of PW-1, PW-2, PW-3 and PW-4 which are annexed as Annexures P-2 to P-5. The petitioner is in custody for over 01 year and 03 months since his arrest on 30.06.2019. He also

contends that there is no other case pending against the petitioner as he was acquitted in one case while in another case, cancellation report has been accepted.

Learned State counsel upon instructions from ASI Vishal states that 04 out of 20 prosecution witnesses have been examined.

Heard through video conferencing.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner was not named in the FIR, he is in custody for over 01 year and 03 months, complainant (PW-4) has not supported the prosecution case qua the involvement of the petitioner, Covid 19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

September 28, 2020
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No