

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

218

CRM-M-29144 of 2020

Date of Decision: 28.09.2020

(through video conferencing)

Gurdeep Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Naveen S. Bhardwaj, Advocate
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana.

Manjari Nehru Kaul, J.(Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner, in case FIR No.102 dated 01.05.2019 under Sections 148, 149, 323, 364, 302 and 201 IPC, registered at Police Station Mullana, District Ambala.

Learned counsel for the petitioner *inter alia* contends that the petitioner, who is 70% disabled on account of amputation of his right forearm, has been falsely implicated in the FIR in question, which is evident from the fact that neither was he named in the FIR nor was there any motive for him to commit the crime in question. He further contends that in fact, the petitioner has been arrayed as an accused only on the disclosure statement made by a co-accused before the Police which admittedly is a weak piece of evidence. He further contends that the trial is unlikely to conclude in the near future as only 2 out of 24 prosecution witnesses cited so far have been examined as on date.

Learned State counsel, on instructions from ASI Sanjay Kumar, while opposing the prayer of learned counsel for the petitioner, has admitted that though the petitioner was not named in the FIR in question but he was one of the many unnamed persons who accompanied the main accused to the place of occurrence.

Heard.

Keeping in view the fact that the petitioner has been in custody since 21.05.2019 and due to the outbreak of the pandemic Covid-19, the trial is not likely to conclude in the near future, I deem it a fit case to grant the concession of regular bail to the petitioner. Without expressing anything on the merits of the case, the instant petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the trial Court/Duty Magistrate concerned.

(MANJARI NEHRU KAUL)
JUDGE

28.09.2020

D.Bansal

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No