

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

CRM-M No.29179 of 2020 (O&M)

Date of Decision: 28.09.2020

Ankush Chahal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Randeep S. Dhull, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, AAG, Haryana.

JAISHREE THAKUR, J. (ORAL)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.117 dated 29.05.2016 under Sections 307, 341, 34 of Indian Penal Code and Section 25 of Arms Act, 1959 registered at Police Station Narwana City, District Jind.

Learned counsel for the petitioner would contend that in fact the petitioner had already been allowed regular bail under the said FIR but was proceeded ex parte on 17.07.2019 as he did not put in appearance before the Court. It is argued that the reason for his absence was not deliberate but in fact he was in judicial custody in FIR No.1118 which had been registered on 07.12.2016 and the petitioner had surrendered on 15.05.2019 under the said FIR.

Counsel for the petitioner would also contend that the trial is

not proceeding on account of COVID-19 situation and therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State opposes the grant of regular bail to the petitioner, while submitting that offences alleged against the petitioner are serious in nature.

I have heard learned counsel for the parties.

Since the petitioner had already been allowed bail but re-arrested for default of his appearance before the trial Court, which was on account of the fact that he was under judicial custody in another FIR and the fact that the trial is likely to take some time as due to outbreak of *novel corona virus*, Courts are not working at their full strength and the ordinary hearing matters are not being taken up, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and one surety of an amount of Rs.50,000/- to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

September 28, 2020
Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No