

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

206

CRM-M-29161-2020

Date of decision: 30.09.2020

Anil

....Petitioner

versus

State of Haryana

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Ms. Shaveta Sanghi, Advocate for
Mr. Aditya Sanghi, Advocate
for the petitioner.

Mr. Rajiv Goel, DAG, Haryana.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of restrictions due to outbreak of pandemic COVID-19.

Petitioner-Anil, stated to be aged 22 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.467 dated 08.09.2018, registered under sections 323, 324, 148, 149 & 302 of Indian Penal Code, at Police Station City Narnaul, District Narnaul, Haryana.

Learned counsel for the petitioner, based on the pleadings, firstly submits that the petitioner has not been named in the FIR and secondly submits that it was only in some alleged disclosure statement that the petitioner was named later. Thirdly, counsel for the petitioner submits that

it has come on record through challan that in fact, the injury with a knife was allegedly attributed to Shubham (one of the co-accused). She forcefully submits that the said co-accused/Shubham, in his disclosure statement, had stated that the petitioner herein, was actually not involved.

On instructions from SI Dharambir, learned State counsel submits that the petitioner was identified by witness-Som Dutt. It is also stated that there were total six accused, who were arrested. He submits that there are three FIRs pending against the petitioner, out of which, in one of the FIR, the petitioner stands acquitted and the other are under trial. Learned State counsel also submits that charges in this case were framed on 13.03.2019 and there are total of 27 witnesses. On account of an application filed under Section 311 of Cr.P.C., the case is now fixed for defence evidence, on 07.10.2020. On a further question put by the Court, it has been stated that the petitioner herein, had allegedly slapped the deceased and other co-accused had inflicted injuries with knife.

Faced with the situation, learned counsel for the petitioner submits that in view of the COVID 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 peculiar facts noticed above and the present situation due to COVID-19 and also 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.

Accordingly, the present petition stands disposed of.

(GIRISH AGNIHOTRI)
JUDGE

30.09.2020

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