

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210

CRM-M-29366-2020

Date of decision: 30.09.2020

Nawab Singh

.....Petitioner

versus

State of Haryana

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Nirmal Singh, 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-Nawab Singh, stated to be aged 52 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.658 dated 27.06.2017, registered under Sections 302 & 34 of Indian Penal Code (Sections 202 & 216 IPC and Section 25 of Arms Act added later on), at Police Station Karnal Sadar, District Karnal.

Learned counsel for the petitioner, at the outset, by making specific reference to Para 6 of the petition, submits that co-accused namely Rohit S/o Sh. Surinder, Vicky, Rohit S/o Sh. Mange Ram and Aman, have been ordered to be released on bail by this Court, vide orders dated 01.03.2019 (passed in CRM-M-44118-2018), 03.04.2019 (passed in CRM-M-13798-2019), 16.05.2019 (passed in CRM-M-18096-2019) and 29.05.2019 (passed in CRM-M-23810-2019) respectively. Counsel then submits that the petitioner was not

named in the FIR. He submits that the petitioner was later named in the disclosure statement of a co-accused and that too, to the effect that they had visited the petitioner for hiding the pistol. Counsel further submits that it is a case of blind murder.

On instructions from ASI Vijay Kumar, learned State counsel submits that charges in this case have been framed on 17.03.2018 and there are total of 22 witnesses, out of them, 10 have already been examined. Learned State counsel further submits that there was an another FIR against the petitioner, however, he is on bail in the said FIR.

Faced with the situation, learned counsel for the petitioner further 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

anju rani

Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No