

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

CRM-M-29367-2020(O&M)

Date of decision: 30.09.2020

Harish Chander

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Narinder Kumar Awasthi, Advocate for the petitioner.

Mr. Pawan Sharda, Sr. DAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 112 dated 31.07.2019 registered under Sections 302, 309 IPC and later on added Sections 201, 203 and 109 IPC, at Police Station City-1 Sangrur, District Sangrur.

Learned counsel for the petitioner states that the petitioner has not been named in the FIR. The name of the petitioner being an accused has been cropped up after a gap of 14 days of the registration of the FIR, on the basis of whatsapp clip and statements dated 13.08.2019 of father-Naresh Kumar and husband-Ajay Kumar husband of Alka Rani, recorded under Section 161 Cr.P.C. The offence of abetment to murder is not made out

against the petitioner. The petitioner himself surrendered before the Court on 20.12.2019 and since then, he has been in custody.

Additionally, the learned counsel for the petitioner prays for grant of regular bail on the ground of massive spread of Covid-19 cases.

Learned State counsel points out that as per Compact Disk (C.D.), due to the harassment and instigation of petitioner-Harish Chander, Alka Rani administered sulphas tablets to her daughter, who had died in the hospital, and she had also consumed the same in order to commit suicide.

I have heard the learned counsel for the parties.

The petitioner has himself surrendered before the Court on 20.12.2019. The petitioner was not present when Alka Rani administered sulphas tablets to her daughter and also consumed herself. The trial will take time to conclude, especially due to prevailing situation of Covid-19. Thus, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

30.09.2020

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No