

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

CRM-M-31539-2020

Date of decision:13.10.2020

Rohit

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Prabhjeet Singh Sullar, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana for the
respondent-State.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.129 dated 07.05.2019 registered under Sections 148,149,212,302,307,323,341,324,506 IPC and Section 25 of the Arms Act at Police Station Parao, District Ambala.

Learned counsel for the petitioner states that the fatal injury upon the chest of the deceased was attributed to the co-accused and not to the petitioner. The petitioner has only been attributed a knife blow on the back side of right arm of the deceased. Even as per the post-mortem report, there was only one fatal injury and that too, attributed to the co-accused. Moreover, it is stated that the petitioner has been behind the bars since 13.05.2019.

Learned State counsel, while opposing the prayer for grant of regular bail, states that the petitioner and co-accused had committed the

crime in connivance with each other, which led to the death of the deceased. He does not, however, dispute the custody period of the petitioner and the factum of the opinion given by the doctor in post-mortem report.

Learned State counsel further states that the challan has already been presented and the charges are yet to be framed. There are 40 witnesses but none has been examined so far.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 13.05.2019. Trial of the case would take time to conclude, specially due to prevailing situation of Covid-19 pandemic. Therefore, 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 present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

13.10.2020

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(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No