

**221 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

Decided on : 17.12.2020

CRM-M-31828-2020

Kulwant

..... Petitioner

Versus

State of Haryana

..... Respondent

CRM-M-32396-2020

Renu

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. J.S.Saneta, Advocate
for the petitioner for CRM-M-31828-2020.

Mr. Nirmal Singh, Advocate
for the petitioner in CRM-M-32396-2020.

Mr. Rajiv Goel, DAG, Haryana.

Manjari Nehru Kaul, J.

This order will dispose of two CRM-M No.31828 and 32396 of 2020 as both have arisen out of the same FIR. Brief facts of the case are taken from CRM-M-31828-2020.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.06 dated 04.01.2020 registered under Section 306 IPC,1860 at Police Station Ladwa District Kurukshetra.

Learned counsel for the petitioner(s) inter alia contends that the petitioner(s) -Kulwant, who has been in custody since 17.02.2020 and Renu, who has been in custody since 21.02.2020, has been falsely implicated in

the FIR in question. It has further been submitted that in the first statement recorded by the complainant soon after the death of his son, no allegations whatsoever had been levelled against the petitioner(s) and in fact the complainant had stated that his son had consumed poison on account of some argument which he had had with his wife i.e. co-accused Renu. Learned counsel has also submitted that it was only two days later in the supplementary statement the complainant levelled allegations against the petitioner Kulwant and his daughter-in-law Renu of having illicit relations with each other. Learned counsel submits that only challan has been filed till date and there is no likelihood of the trial concluding in near future. Hence, a prayer has been made for extending the concession of regular bail to the petitioner(s).

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner has not been able to controvert the factual aspect of the submissions made by learned counsel for the petitioner. He on instructions from SI Moolchand has submitted that the charges have been framed and the prosecution evidence is likely to commence on the next date of hearing i.e. 24.12.2020.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner(s) has been in custody since 17.02.2020 and 21.02.2020 respectively, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic Covid-19. The present petitions are allowed and the petitioners are admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear

that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

17.12.2020
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No