

210

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

CRM-M No. 32568 of 2020
Date of Decision: 27.10.2020

Anoop Kumar

-Petitioner

Vs

State of Haryana

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Saurabh Sharma, Advocate,
for the petitioner.

Mr. Kirpal Singh Thakur, A.A.G., Haryana.

RAJ MOHAN SINGH, J. (ORAL)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C. in case bearing FIR No.486 dated 25.11.2018 under Sections 148, 149, 323, 324, 326, 452, 307 IPC and under Section 25 of Arms Act registered at Police Station Kurukshetra University Kurukshetra, District Kurukshetra.

Learned counsel for the petitioner relies upon order dated 08.07.2020 passed in **CRM-M No.11151 of 2020** titled 'Rahul Malik and another vs State of Haryana', order dated 24.07.2020 passed in **CRM-M No.17847 of 2020** titled 'Surender @ Sinder vs State of Haryana' and order dated

04.09.2020 passed in **CRM-M No.8514 of 2020** titled 'Mohit Sharma vs State of Haryana' and contended that the co-accused have already been granted regular bail on the ground that complainant Anil Kumar, his son Saurabh and nephew Deepak have not supported the case of prosecution while appearing as PW3 to PW5.

Qua accused Anup Barwa, Rahul, Mohit, Gulshan, Harsh, Navdeep, Surender and Cheema, the prosecution could not extract any incriminating material from their cross-examinations. The witnesses have not supported the case qua the aforesaid co-accused except Ravi @ Gorkha and Nandu.

Petitioner seeks parity with the aforesaid co-accused who have already been granted regular bail by this Court.

On the other hand, learned State counsel on instructions from SI Wazir Singh submits that the petitioner is also involved in other cases.

Learned counsel for the petitioner submits that the petitioner is on bail in all other cases.

Petitioner was member of an unlawful assembly and gandasi has been recovered from him.

Out of 36 prosecution witnesses, 09 prosecution witnesses have been examined including the material witnesses.

Owing to the situation arising out of pandemic COVID-19 and without meaning anything on the merits of the case, the petition is allowed. Petitioner is directed to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an opinion on the merits of the case.

27.10.2020
Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No