

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204

CRM-M-33309-2020

Date of decision: 02.11.2020

Himanshu @ Baga

.....Petitioner

versus

State of Haryana

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr.Bhupender Singh, Advocate for the petitioner.

Mr. Rajiv Goel, DAG, Haryana.

*(the aforesaid presence is being recorded through video
conferencing since the proceedings are being conducted in Virtual Court).*

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video conferencing on account of restrictions due to outbreak of COVID-19 pandemic.

The petitioner Himanshu @ Baga, stated to be aged 18 years has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.42 dated 16.01.2019 under Sections 302, 34 IPC, registered at PS Gharaunda, District Karnal.

Learned counsel for the petitioner, at the outset, submits that co-accused, namely, Sahil has already been granted bail by this Court vide order dated 06.10.2020 passed in 'CRM-M-21454-2020' titled as *Sahil Vs. State of Haryana*'. He submits that a perusal of the FIR would show that only allegation against the petitioner was that he had caught Sagar, whereas other co-accused had caused injuries.

Learned State counsel, on instruction from SI Sultan Singh,

submits that the investigation is complete. Challan has been presented and charges have been framed on 26.04.2019. There are total of 12 witnesses, only 4 witnesses have been examined till date.

Faced with the situation, learned counsel for the petitioner submits that the petitioner is a young boy aged only 18 years of age. Considering his young age and the fact that petitioner was a student of 12th class, and also due to COVID-19 situation, his detention in jail would be dangerous to life. Learned counsel also relies on other submissions and facts noticed in the order dated 06.10.2020. Therefore, he prays that the petitioner may be granted concession of regular bail.

In view of the facts noticed above, the present situation due to COVID-19 and 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.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

02.11.2020

jyoti3

Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No