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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.34567 of 2020 (O&M)

Date of Decision: 09.11.2020

ROHIT @ BACHCHIPetitioner
Vs
STATE OF HARYANARespondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

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

Mr. Rajat Gautam, D.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, registered under Sections 148, 149, 323, 324, 326, 452, 307 IPC and Section 25 of the Arms Act, 1959 at Police Station Kurukshetra University, Kurukshetra, District Kurukshetra.

Learned counsel for the petitioner submitted that petitioner seeks regular bail on parity with co-accused, who have been granted regular bail by this Court in CRM-M No.11151 of 2020, CRM-M No.17847 of 2020 and CRM-M No.8514 of 2020. All the aforesaid petitions have been decided by this Court after noticing that the complainant Anil Kumar, his son Saurabh and nephew Deepak have not supported the case of prosecution while appearing as PW-3 to PW-5. They have been declared as hostile qua the accused except Ravi @ Gorkha and Nandu. Admittedly, petitioner is an author of blunt

injury with a *lathi*.

Learned State counsel on instructions from the Investigating Officer could not dispute the aforesaid fact, however he submitted that the petitioner was also a member of unlawful assembly and a *danda* has been recovered from him. Out of 36 prosecution witnesses, 9 witnesses have already been examined including the material witnesses.

In view of aforesaid position, without adverting to the merits of the case at this stage and due to the situation arising out due to COVID-19 pandemic, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

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

(RAJ MOHAN SINGH)
JUDGE

November 09, 2020

Atik

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No