

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

CRM-M-34341-2020 (O&M)

Date of Decision:04.11.2020

Sachin

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

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

Mr. Saurabh Mohunta, DAG, Haryana.

....

TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner seeks regular bail pending trial in case FIR No.834, dated 10.08.2019, under Sections 148/149/302/452 IPC (Sections 120-B and 212 IPC added later on), registered at Police Station Thanesar City, District Kurukshetra.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Manoj Kumar. Deceased is Rakesh, cousin of the complainant. As per complainant's version, an altercation had taken place between the deceased and one of the co-accused, namely, Mohit on the night of 09.08.2019. There are specific allegations against Mandeep, Mohit, Bandar as also against an un-named person having attacked Rakesh with *gandasis* and with sharp edged weapons.

Name of the petitioner does not figure in the FIR. As per prosecution version, present petitioner is sought to be implicated on the disclosure statement of a co-accused, Manpreet @ Nanu. Even as per such disclosure statement, no specific role/injury is attributed to the petitioner.

As per prosecution version, the tower location records would suggest presence of the petitioner at the place of occurrence.

Recovery from the petitioner is that of a *danda*.

Petitioner has been in custody since 18.08.2019.

Co-accused, Manpreet @ Nanu has been granted benefit of bail by this Court vide order dated 04.09.2020 passed in CRM-M-15535-2020.

In the present case, challan was presented on 15.09.2019 and charges were framed on 28.11.2019.

Trial is not making any headway keeping in view the current Covid-19 pandemic.

Petitioner has faced incarceration in excess of one year.

In view of the above and without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

Disposed of.

04.11.2020

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

i) Whether speaking/reasoned? Yes/No

ii) Whether reportable? Yes/No