

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

214 - CRM-M-34971-2020 (O&M)

Date of Decision: 06.11.2020

Surender @ Sunder Pal @ Dhuniya

... Petitioner

VS.

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Aditya Sanghi, Advocate
for the petitioner

Mr. Rajiv Goel, DAG Haryana

GIRISH AGNIHOTRI, J. (Oral)

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

The petitioner Surender @ Sunder Pal @ Dhuniya who stated to be aged 30 years has filed the present petition, *inter alia*, with a prayer for grant of regular bail in case FIR No.467 dated 08.09.2018 under Sections 08.09.2018 under Sections 323/324/148/149/302 IPC registered at PS Narnaul, District Mahendergarh.

Learned counsel for the petitioner, based on the pleadings, firstly submits that the petitioner has not been named in the FIR and secondly submits that it was only in some alleged disclosure statement that the petitioner was named later. Thirdly, counsel for the petitioner submits that it has come on record through challan that in fact, the injury with a knife was allegedly attributed to Shubham (one of the co-accused). The said co-accused/Shubham, in his disclosure statement, had stated that the petitioner herein, was actually not involved.

On instructions from SI Dharambir, learned State counsel

stated that there were total six accused, who were arrested. Learned State counsel also submits that charges in this case were framed on 13.03.2019 and there are total of 27 witnesses.

Counsel then submits that in CRM-M-29161-2020 (Anil vs. State of Haryana) decided on 30.09.2020 and CRM-M-32820-2020 jointly filed by Akash and Dinesh, decided on 30.10.2020, the co-accused have been granted bail by this Court. He further submits that in view of the COVID situation, detention of the petitioner in jail would be dangerous to his life and also the fact that trial is likely to take some time, the petitioner may be granted concession of regular bail.

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

Accordingly, the present petition stands disposed of.

06.11.2020

vishal shonkar

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

(Girish Agnihotri)
Judge

Yes/No
Yes/No