

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-36338 of 2020
Date of Decision: 12.11.2020

Subham @ Sonu

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. R.S.Mamli, Advocate
for the petitioner (s).

Mr. Kirpal Singh Thakur, AAG, Haryana.

KARAMJIT SINGH, J.(Oral)

Case has been heard through video conferencing on account of COVID-19 Pandemic.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.231 dated 14.7.2015 registered for the offences punishable under Sections 307, 186, 332, 353, 34 of Indian Penal Code (for short, "IPC") and Section 25 of Arms Act (Sections 412 of IPC and Sections 54/59 of Arms Act added later on) at Police Station Sadar, Tohana, District Fatehabad.

Heard.

As per allegations appearing in the FIR, on 14.7.2015, a police party headed by ASI Baljit Singh was on checking duty. In the meantime, one Innova car was seen coming from the side of village Pirthala and it was signaled to stop. However, the driver of the vehicle did not respond. In the meantime, the person who was sitting on the conductor seat, fired at ASI Baljit Singh who saved himself by ducking. Then the other police officials

succeeded in intercepting the above said Innova car. Petitioner-Subham @ Sonu, Kamal Singh and Gaurav who were traveling in the said Innova car were apprehended. .30 bore pistol and empty cartridge was recovered from the possession of non-applicant/Kamal Singh, who had fired at the police party.

Admittedly, it is no injury case. No incriminating article was recovered from the possession of the petitioner. Now, the petitioner is in custody for the last more than one year. It will take time for conclusion of the trial due to prevalent Covid-19 Pandemic. So, no purpose is going to be served even if the petitioner is kept in custody for any further period.

Thus, without commenting upon the merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Subham @ Sonu is ordered to be released on regular bail during the pendency of the appeal on furnishing bail bond and surety bond to the satisfaction of trial Court/Duty Magistrate, Fatehabad.

November 12, 2020

Paritosh Kumar

**(KARAMJIT SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No