

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

CRM-M-36526-2020

Date of Decision: 12.11.2020

Paras

..... Petitioner

Versus

Union Territory Chandigarh

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Vivek Kathuria, Advocate
for the petitioner.

Mr. Rajeev Anand, Additional P.P., U.T. Chandigarh.

SUDIP AHLUWALIA, J. (ORAL)

1. The present petitioner has been filed under Section 439 of the Cr.P.C. by the petitioner, for grant of regular bail in case FIR No.173 dated 21.10.2019, under Sections 147, 149, 324, 307, 506 IPC, registered at Police Station Maloya, Chandigarh.

2. The petitioner by now has remained in detention for more than 10 months since his arrest from 31.12.2019.

3. After completion of investigation, challan has already been submitted against him on 01.07.2020 but the trial is yet to commence. Charges have not yet been framed.

4. After perusal of the impugned order passed by the learned Additional Sessions Judge, Chandigarh (Annexure P-2), this Court had put a query to Ld. counsel appearing for the U.T., Chandigarh, regarding the nature of injuries suffered by the victim.

But Ld. State counsel submits that the final report in this regard still could not be collected as the concerned Medical Officer had resigned and left the job and now a new Medical Board has been constituted to re-consider the nature of injuries.

5. Be that as it may, considering the long detention undergone by the petitioner and the fact that his custody is not required for the purpose of investigation and in the prevailing situation there is no likelihood of expeditious completion of trial, at this stage without commenting upon the other merits of the case and keeping in view the fact that the trial is likely to take a considerable time to conclude in view of the on-going Covid-19 Pandemic, this Court is of the opinion that further detention of the Petitioner for an indefinite period is not justified. As such, he is ordered to be released on bail subject to the satisfaction of the Lt. Trial Court/Duty Magistrate concerned.

6. Disposed off.

12.11.2020

Sangeeta

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No