

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No.223

CRM-M-36950-2020 (O&M)

Decided on: 12.11.2020

Sandeep

.. Petitioner

VERSUS

State of Haryana

.. Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

PRESENT:- Mr. Chanderhas Yadav, Advocate,
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

HARINDER SINGH SIDHU, J.

The matter has been taken up through video conferencing in the light of COVID-19 pandemic.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No.189 dated 25.05.2020 registered under Sections 307, 323, 324, 34, 341, 506 IPC and Sections 25/27 Arms Act, 1959, at Police Station Asauda, District Jhajjar.

FIR was lodged on the complaint of Nitesh Kumar son of Rajesh. It is stated that on 23.05.2020, there was a fight in the village. The complainant intervened in the fight. At that time, one Ritik asked the complainant not to intervene, otherwise he would be shot. On next date i.e. 24.05.2020, at about 7.00 pm, the complainant had gone to take a bath in NCR canal at Village Jasor Kheri on Bhaisru Road. There was a bridge near the canal. Ritik, Sandeep Kumar (herein petitioner) and Ashish also came to the bridge on motorcycle. When the complainant started his journey to home on motorcycle, then he was called with bad names by the accused.

Ritik, who was carrying a pistol in his hand, fired at the complainant. The bullet hit the complainant on the wrist of left hand below the elbow. Thereafter, Ashish caught the complainant from the back and threw him on the ground. Sandeep (petitioner), who was carrying a sword type weapon in his hand, gave a blow on the back just above the hind part of the complainant. Hue and cry was raised by the complainant and the accused fled away

Learned counsel for the petitioner has argued that injury attracting Section 307 IPC has been attributed to Ritik. The petitioner has been attributed an injury on the back of the waist of the complainant for which offence under Section 324 IPC is made out.

The petitioner is in custody since 24.06.2020. Investigation in this case is complete and challan has been presented. The trial of the case has not made any headway due to Covid-19 pandemic.

In view of the above, no useful purpose would be served by detaining the petitioner behind bars till the conclusion of trial. Accordingly the petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of Trial Court/CJM/Duty Magistrate concerned.

12.11.2020
monika

(HARINDER SINGH SIDHU)
JUDGE

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No