

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

CRM-M-42525-2020

Date of Decision: 23.12.2020

ANKUSH

.....*Petitioner*

V/s.

STATE OF HARYANA

.....*Respondent*

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

(Through Video Conferencing)

Present: Mr. Lalit Kumar, Advocate,
for the petitioner.

Mr. Rajiv Goel, Deputy Advocate General, Haryana.

MANJARI NEHRU KAUL, J. (Oral)

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.125 dated 24.09.2020 registered under Sections 147, 148, 149, 323 IPC, 1860 (325 and 307 IPC added later on) at Police Station Alewa District Jind.

Learned counsel for the petitioner, *inter alia*, contends that the FIR in question has been registered after a delay of 8 days from the alleged occurrence, which lends credence to a false and fabricated version having been brought-forth by the complainant party. Learned counsel for the petitioner while referring to the injuries allegedly attributed to petitioner – Ankush, has submitted that that he was allegedly armed with a danda and attributed blows on the waist of Raj Kumar, which was opined to be simple in nature by the attending doctor. The petitioner has been in custody since 15.10.2020 and trial is unlikely to conclude in the near future, as only challan has been filed till date.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions from ASI Jagtar Singh, has submitted that the charges are likely to be framed in the instant case by the trial Court. However, he has not been able to controvert the role and injuries allegedly attributed to the petitioner and has conceded that the injury attracting the mischief of Section 307 of the IPC, 1860 has not been attributed to the petitioner.

Heard.

In view of the submissions made by learned counsel for the parties, I deem it a fit case for grant of the concession of regular bail to the petitioner, as the trial is unlikely to conclude in the near future, more so, in the prevailing conditions due to the outbreak of COVID-19. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

December 23, 2020

Ess Kay

**[MANJARI NEHRU KAUL]
JUDGE**

<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	/	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	/	<i>No</i>