

(209) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No.M-47951 of 2019

Date of decision:22.05.2020

Dinesh Dahiya

.... Petitioner

Versus

State of Haryana

... Respondent

Before: Hon'ble Mr. Justice B.S. Walia.

Present: Mr. Saurav Verma, Advocate for the petitioner.
Mr. Anant Kataria, DAG, Haryana.

B.S. Walia, J. (Oral/VC)

[1] Prayer in the instant petition is for grant of regular bail under Section 439 Cr.PC in case FIR No.191 dated 31.05.2019 under Sections 307, 323 and 34 IPC and Sections 25, 27, 54 and 59 of the Arms Act, 1959 registered at Police Station Kharkhoda, District Sonipat, Haryana.

[2] Learned counsel for the petitioner contends that the petitioner has been implicated in a false case as there was discord between the petitioner and his wife because of which the parties were staying separately. However, on the bhog ceremony (i.e. Tervi) of the petitioner's grandmother, the petitioner's wife and her relatives forcibly attended said ceremony and created a ruckus during which the petitioner's wife's aunt (i.e. Mausii) sustained a gun-shot wound in the stomach but that he was not aware as to how and by whom she was shot, besides even the Forensic Science Laboratory report (Annexure P/3) mentioned that the place of occurrence was examined thoroughly after the incident but no physical clue relating to

the crime could be detected.

Learned counsel for the petitioner further contends that as per communication dated 14.05.2020 from the District and Sessions Judge, Sonipat to Civil Surgeon, Civil Hospital, Sonipat, a corona virus positive case of one undertrial prisoner has been detected.

[3] Learned DAG on the other hand contends that out of the 23 witnesses, 19 have already been examined and only four witnesses remain to be examined and that in the circumstances, the prayer for bail be dismissed.

[4] I have considered the submissions of learned counsel.

[5] The trial is almost at the stage of conclusion. Out of the 23 witnesses, 19 have been examined. Next date before the learned trial Court is in the month of July, 2020. Therefore, in the circumstances, I do not find it a fit case to grant bail to the petitioner at this stage. However, learned trial Court shall take steps to conclude the examination of the remaining witnesses as expeditiously as possible preferably by the next date and to conclude the trial thereafter within four months.

[6] Jail authorities are also directed to ensure the safety of the petitioner and all other inmates of District Jail, Sonipat and to take immediate steps to ensure that there is no risk of exposure of coronavirus infection amongst the undertrials/convicts.

[7] Crl. Misc. petition is disposed of in the aforementioned terms.

22.05.2020
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(B.S. Walia)
Judge

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