

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

CRM-M-54272-2019

Date of decision: 14.05.2020

Sharan Jeet Singh

.... Petitioner

versus

State of Haryana

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Amit Choudhary, Advocate
for the petitioner.

Ms. Tanisha Peshawaria, DAG, Haryana.

Manjari Nehru Kaul, J.

Due to the outbreak of Covid-19 pandemic, the case is taken up for hearing through video conferencing.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.302 dated 03.09.2019 registered under Section 302 read with Section 34 IPC at Police Station Saran District Faridabad.

Learned counsel for the petitioner contends that the FIR in question was initially registered under Section 302 read with Section 34 IPC, however, subsequently Section 302 IPC was deleted and Section 306 IPC was added. It has been further submitted that the petitioner has been falsely implicated in the FIR in question and more over the essential ingredients to attract the mischief of Section 306 IPC are not made out. Learned counsel has submitted that the trial has been proceeding at a very slow pace and is unlikely to conclude in the near future. A prayer has also been made that the petitioner who was arrested on 03.09.2019, be granted

the concession of regular bail in view of his serious medical condition inasmuch as he is suffering from skin cancer and various other health ailments for which he was admitted in AIIMS, New Delhi.

Learned counsel for the State on the other hand, while opposing the prayer and submissions made by learned counsel for the petitioner on instructions from ASI Rakesh Kumar has not been able to controvert the fact that as on date only the examination in chief of the complainant has been recorded and the other prosecution witnesses have not yet been examined. She has also confirmed the factum of the petitioner suffering from skin cancer and various health ailments as per instructions received by her from the Medical Officer, District Jail, Faridabad.

Heard.

Having considered the submissions made by either side, the petitioner has been behind bars since 03.09.2019. Hence, no useful purpose would be served in keeping the petitioner behind bars, as the trial would take a considerable time to conclude. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed herein shall not be construed as an expression of opinion on the merits of the case.

14.05.2020
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/non-speaking?	Yes/No
Whether reportable?	Yes/No