

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

CRM-M-391-2021

Date of decision : 12.01.2021

Vikas

... Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE KARAMJIT SINGH

Present : Mr. Jitender Dhanda, Advocate
for the petitioner.

Mr. K.S. Thakur, AAG, Haryana.

KARAMJIT SINGH, J.

Case has been heard through video conferencing on account of
COVID-19 Pandemic.

The present petition has been filed under Section 439 Cr.P.C. for
grant of regular bail to the petitioner in case FIR No.565 dated 5.11.2019
registered under Sections 307, 323, 325, 341, 34 of IPC and Section 3(2)(v) of
Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 at
Police Station Barwala.

Heard.

Learned counsel for the petitioner submitted that the petitioner is in
custody since 27.11.2019 except for a period of three months, during which he
remained on interim bail on the basis of the order dated 04.09.2020 passed by
this Court (Annexure P-2).

It is further submitted that the challan was presented in February
2020, but the charge has not been framed so far and the next date of hearing
before the trial Court is fixed for 11.03.2021. Learned counsel for the petitioner
further prays that the petitioner be released on regular bail. In alternative, he
made prayer that at least, the petitioner should be released on interim bail in
case the Court is not inclined to grant him the regular bail.

On the other hand, learned State counsel, on instructions from ASI Pardeep Kumar, submitted that the petitioner caused head injury to Amit with the help of wooden plank, which was declared dangerous to life by the doctor. However, learned State counsel admitted that the trial is not progressing further due to Covid-19 situation and that the charges are yet to be framed in this case.

I have considered the submissions made by learned counsel for the parties.

The petitioner has already undergone custody for a period of ten months and the trial is not progressing due to prevalent pandemic. Further, the charges are yet to be framed by the trial Court against the petitioner and other accused. As the petitioner is the main accused who allegedly caused head injury, this Court is not inclined to grant regular bail to him. Previously also, the petitioner was granted interim bail for a period of three months by this Court on account of the Covid-19 situation.

In the light of the above, request of the petitioner for grant of regular bail is hereby declined, at this stage. However, in view of prevailing circumstances, the petitioner is granted interim bail till 10.03.2021, subject to his furnishing personal and surety bonds to the satisfaction of the learned trial Court, with further direction that in the meantime, the petitioner will not pressurize the prosecution witnesses and not leave the country without prior permission of the Court concerned. He should also not indulge in any such similar illegal activity during the period of interim bail. He should immediately surrender before the court concerned on expiry of the period of interim bail.

The Court also hopes that the trial Court will proceed further with the case, in accordance with law on the next date fixed.

Accordingly, the present petition stands disposed of.

(KARAMJIT SINGH)
JUDGE

12.01.2021

Dinesh

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No