

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-2898-2021 (O & M)

Date of Decision: January 27, 2021

ASHRAF @ BILLI

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.G.C. Shahpuri, Advocate for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

Mr. Sonpreet Sandhu, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.81 dated 15.10.2020, under Sections 323, 201, 307, 34 IPC (Sections 148, 149 and 308 initially added have been deleted by police and Sections 307 and 201 have been added later on), registered at Police Station Gandhi Nagar, District Yamuna Nagar.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein 04 co-accused were named. The petitioner was named later on in the supplementary statement of the injured on the allegation that he had thrown a brick-bat at the complainant. The complainant was discharged after 04 days of the incident and has fully recovered from the injury. The petitioner is 23 years of age and is a first time offender. With the intervention of respectables, the matter has been compromised. He has referred

to the affidavit of the sister and father of the complainant which are annexed as Annexures P-2 and P-3 as the complainant is a minor. The petitioner is in custody for about 03 months since his arrest on 01.11.2020.

Learned State counsel upon instructions states that the challan has been filed but no prosecution witnesses have been examined.

In view of the above, especially when the petitioner is in custody for about 03 months, he is not involved in any other case, Covid 19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

January 27, 2021
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No