

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-3489-2021 (O & M)

Date of Decision: February 15, 2021

MAHAVIR @ BABA

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Bikram Chaudhary, Advocate
for the petitioner.

Mr. Arun Beniwal, DAG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No.154 dated 28.07.2020, under Sections 302, 323, 342 (deleted), 34 (deleted), 120-B (added lateron) IPC, registered at Police Station Siwan-Kaithal, District Kaithal.

Learned counsel for the petitioner contends that in the challan, the petitioner has been arraigned as an accused under Section 120-B IPC and the allegations are that the son of the petitioner namely Rahul had caused a 'danda' blow on the head of the deceased. The petitioner has been roped in just because he is the father of the main accused Rahul. The wife of the petitioner has also been falsely implicated but later on she was found innocent during investigation. Rahul, who is the main accused, is in custody. The petitioner is a poor shepherd and is not involved in any other case. He is in custody for over six months.

Learned State counsel upon instructions from Sub Inspector Naresh Kumar states that although the challan has been filed but charges are yet to be framed.

In view of the above, especially when the petitioner has not been attributed any injury, he is in custody for over 06 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

February 15, 2021
A.Kaundal

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