

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

206

CRM-M-18061-2021

Date of decision: 19.05.2021

Amit

.....Petitioner

versus

State of Haryana

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Sansar Kundu, Advocate
for the petitioner.

Ms. Palika Monga, DAG, Haryana.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of restrictions due to outbreak of pandemic COVID-19.

Petitioner-Amit, stated to be aged 35 years, has filed the present petition *inter alia* with a prayer for grant of regular bail to the petitioner in case FIR No.447 dated 01.12.2020, registered under Sections 306 & 34 of Indian Penal Code (Section 34 IPC deleted later on), at Police Station Sadar Jind, District Jind.

Learned counsel for the petitioner, by making reference to the pleadings in the petition, specially para 5 of the petition, submits that in fact the FIR was got registered by the complainant to save his skin and as a counter blast. It is clearly admitted on behalf of the petitioner that he being son-in-law of the complainant, had borrowed Rs.2,50,000/- (rupees two lacs fifty thousand only) from the complainant but because of the loss of

earnings due to COVID, he could not return the same. Counsel further submits that from the wedlock, the petitioner had two sons who are living with mother of the petitioner.

On instructions from ASI Jasdeep Singh, learned State counsel submits that the challan was presented on 04.02.2021 and there are total of 19 witnesses, out of which, none has been examined till date. Learned State counsel is not disputing the factual position, however, opposes the bail on merits.

Faced with the situation, learned counsel for the petitioner submits that in view of the COVID situation, detention of the petitioner in jail would be dangerous to his life and also the fact that trial is likely to take some time, the petitioner may be granted concession of regular bail.

In view of the peculiar facts noticed above and the present situation due to COVID-19 and also the fact that trial is likely to take some time, this Court deems it appropriate to direct release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds.

However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

Accordingly, the present petition stands disposed of.

(GIRISH AGNIHOTRI)
JUDGE

19.05.2021
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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No