

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

S. No. 204

CRM-M-18304-2021 (O&M)

Date of Decision: 08.06.2021

RAJAT @ DANI

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr. Ravinder Bangar, Advocate,
for the petitioner.

ARCHANA PURI, J. (ORAL)

The matter has been taken up through video conferencing in the light of COVID-19 pandemic.

This is the petition under Section 439 of Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.67 dated 05.06.2020 under Sections 186, 332, 353, 307 IPC and 25/54/59 of the Arms Act, registered at Police Station, Jathlana, District Yamuna Nagar.

Status report by way of an affidavit has been filed and the same is taken on record.

Heard on the bail petition.

The aforesaid FIR was got registered at the instance of SI Manoj Kumar. As per the version of the prosecution, in pursuance of the information received about three boys, having caused firing and fled away from the spot, SI Manoj Kumar along with his companions had reached the spot and there they came to know about Anshul @ Khanna along with two of his friends, having fired shots on Ranjor s/o Jitender and fled away on motor cycle bearing No. HR 75 C 4285. Thereupon, SI Manoj Kumar along with his companions was in search of

the culprits. However, during the course of the search, one motor cycle was intercepted, upon which, there were three occupants. SI Manoj Kumar knew one of the occupants i.e. Anshul @ Khanna, who had allegedly inflicted injuries to one boy. The said occupants were signalled to stop, but however, they had fired upon the police officials with an intention to kill and fled away in the fields. Two of the occupants of the motor cycle were intercepted and their names were Anshul @ Khanna and one Anil Kumar. They had disclosed about the boy, who had fired shot to be Rajat @ Dani i.e. the present petitioner.

It is now submitted by the learned counsel for the petitioner that the petitioner is in custody since 06.06.2020. Even though, the challan has been presented, but the trial is not making much progress, due to the restricted working on account of Covid-19 pandemic.

However, learned State Counsel has resisted the claim of the petitioner, as he submits that the petitioner had attacked the police party, while they were on official duty.

Undisputedly, the petitioner is in custody since 06.06.2020. Even though, the challan has been presented on 12.12.2020 but charge was framed on 12.01.2021. Also, learned State Counsel apprised this court, that out of the 13 witnesses, only one witness has been examined and the next date fixed is 01.07.2021.

Keeping in view the same, it is quite evident that the conclusion of the trial is likely to take time. Considering the factual position aforesaid, and the fact that consequential trial is likely to take time, I deem it appropriate to grant the benefit of regular bail to the petitioner.

Accordingly, the instant petition is hereby allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate Concerned.

(ARCHANA PURI)
JUDGE

08.06.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No