

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

205

**CRM-M-19078-2021(O&M)
Decided on : 25.05.2021**

NITIN @ ARUN

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(Through Video Conferencing)**

PRESENT: Mr. S.S. Mor, Advocate
for the petitioner.

Mr. Manoj Kumar Taya, Advocate
assisted by ASI Ram Avtar

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.78 dated 10.03.2021 under Sections 148, 149, 323, 342, 365, 506 of the IPC registered at Police Station Sadar Jhajjar District Jhajjar.

Learned counsel submits that the petitioner is a young boy of 19 years who has been falsely implicated in the case in hand. It has been further submitted that a perusal of the FIR in question reveals that no role has been attributed to the petitioner, much less, of inflicting any injury on the person of the complainant. In fact, the only role attributed to the petitioner is that he along with one Sunil came to the house of the complainant and thereafter, forcibly took him to the fields of the co-accused, where, he was then assaulted by the other accused. Learned counsel contends that the petitioner has been in custody since 16.03.2021 and investigation is complete as the challan already stands presented before the Court below. It has been submitted that in view of the prevailing

conditions on account of the outbreak of the pandemic, trial shall take a long time to conclude hence he may be extended the concession of bail.

Per contra, learned State counsel while opposing the prayer and submissions made by the learned counsel for the petitioner, on instructions from ASI Ram Avtar, has not been able to controvert the factual aspect of the submissions so made by the learned counsel for the petitioner *qua* the role attributed to him. He has conceded that the injuries received by the complainant at the hands of co-accused were to be opined simple in nature.

Heard.

In view of the submissions made by learned counsel for the parties, I deem it a fit case for grant of the concession of regular bail to the petitioner, as the trial is unlikely to conclude in the near future, more so, in the prevailing conditions due to the outbreak of COVID-19. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

May 25, 2021

S.Sharma(syr)

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*