

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

205

CRM-M-17098-2020 (O&M)

DATE OF DECISION: 08.07.2021

NARESH KUMAR @ NESA

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Nonish Kumar, Advocate for the petitioner.

Mr. Vijesh Sharma, Addl. AG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.59 dated 20.02.2020, under Sections 323, 452, 307/34, 120-B IPC (Section 326 IPC added later on) and Section 25 of the Arms Act, 1959, registered at Police Station Butana, District Karnal.

Learned counsel for the petitioner contends that the petitioner was arrested in connection with the FIR No.1304 on 02.01.2020 and he remained in custody till his release on bail on 17.09.2020. The petitioner was arraigned as an accused in this case on the basis of suspicion as it is alleged that the petitioner had conspired with the other accused who had inflicted injuries on the injured. The injured has fully recovered from the injuries. He also contends that there is no *prima facie* material which indicates that the petitioner was in touch with the other accused especially when the petitioner was in jail at that time. He also contends that the petitioner was involved in other cases but he had been acquitted in all other cases. No other case is

pending except FIR No.1304 wherein the petitioner has been granted regular bail. The petitioner is in custody for over 1 year and 4 months.

Learned State counsel, upon instructions from SI Nirmal Singh, contends that charges have been framed but no prosecution witness has been examined.

Heard.

In view of the above, especially when the petitioner is in custody for over 1 year and 4 months, the 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 instant 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.

The petitioner shall appear before the SHO, Police Station Butana every alternate Monday till the conclusion of the trial. He shall also disclose his mobile number to the SHO and shall always keep location of his phone on.

(ANUPINDER SINGH GREWAL)
JUDGE

08.07.2021

SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No