

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 21340 of 2021
Date of Decision: 26.7.2021**

Rajesh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Manoj Tanwar, Advocate
for the petitioner.

Mr. Zorawar Singh Chauhan, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner seeks regular bail in FIR No. 316 dated 18.5.2020 under Sections 120-B, 302, 34 IPC and Sections 25, 54, 59 of the Arms Act, 1959 registered at Police Station Sadar Karnal, District Karnal.

Reply by way of affidavit of Deputy Superintendent of Police, Karnal dated 15.7.2021, filed in the Registry, is taken on record.

Learned counsel for the petitioner submits that the only allegation against the petitioner is that he along with one Bhim Singh, pulled down Paramjit, brother of the complainant, from the tractor; that Bhim Singh has been declared innocent; that it is a case of version and cross-version and the issue as to which party was the aggressor one, is debatable; that the petitioner and his brother also suffered injuries in the occurrence and the petitioner has been in custody since 25.5.2020.

On the other hand, learned State counsel opposes the bail

application and has not disputed the custody period of the petitioner i.e. one year and two months. He further submits that charges have been framed but no prosecution witness has been examined till date.

I have heard the learned counsel for the parties.

It is a case of version and cross-version. The petitioner has been in custody since 25.5.2020. Charges have been framed but the prosecution witnesses are yet to be examined. The trial will take time to conclude because of Covid-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

July 26, 2021
Gurpreet

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