

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-22777-2021 (O & M)

Date of Decision: June 29, 2021

ANIL KUMAR ALIAS CHHOTA

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Sandeep Gahlawat, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

Case taken up through video conferencing.

The petitioner is seeking regular bail in FIR No.171 dated 11.03.2020, under Sections 148, 149, 302, 323, 342 IPC, registered at Police Station Shivaji Colony, Rohtak, District Rohtak.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein two co-accused namely Manoj and Sandeep were duly named. The petitioner was arraigned as an accused on the supplementary statement of the complainant-Rohit recorded after 02 days of the occurrence. The petitioner has been implicated just because he is the brother of Manoj. He further contends that 05 material witnesses including the complainant-Rohit, Sobha Chand (father of the deceased) and Neelam (wife of the deceased) have been examined but they have not supported the prosecution case qua the involvement of the petitioner. The petitioner is in custody for over 01 year and 02 months and is not involved in any other case.

Learned State counsel upon instructions from Sub Inspector Raj Karan states that 05 out of 24 prosecutions witnesses have been examined. He, however, is not in a position to controvert the submission of the learned counsel for the petitioner that 05 material witnesses have not supported the prosecution case qua the involvement of the petitioner.

In view of the above, especially when the petitioner was not named in the FIR, he is in custody for over 01 year and 02 months, 05 material witnesses have not supported the prosecution case qua the involvement of the petitioner, 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 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.

(ANUPINDER SINGH GREWAL)
JUDGE

June 29, 2021
A.Kaundal

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