

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

244

**CRM-M-23053-2021
Decided on : 29.06.2021**

Govind

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Parminder Singh, Advocate
for the petitioner(s).

Ms. Vibha Tiwar, AAG, Haryana
assisted by SI Satpal.

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. 10, dated 11.01.2020, under Sections 304-B, 498-A, 302 IPC, registered at Police Station Industrial Area Sector 29, Panipat, District Panipat.

Learned counsel for the petitioner submits that the false implication of the petitioner in the FIR in question is evident from the fact that none of the material witnesses supported the case of the prosecution and were declared hostile. He further submits that prior to the occurrence in question i.e. 11th January, 2020, no complaint was ever made either by his deceased wife or anybody from the family of his deceased wife with respect to any physical and mental harassment meted out to the deceased. Learned counsel submits that the petitioner has been in custody since 11th January, 2020 and only formal witnesses remain to be examined.

Per contra, learned State counsel while opposing the prayer

and submissions made by learned counsel for the petitioner, on instructions from SI Satpal, has apprised the Court that evidence is likely to conclude in the near future. She has further submitted that the remaining 11 prosecution witnesses are likely to be examined in the near future. However, she has not been able to controvert the factum of material witnesses not supporting the case of the prosecution and having been declared hostile.

Heard.

In view of the submissions made by learned counsel for the parties and keeping in view the fact that the petitioner has been in custody since 11th January, 2020, 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 to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

June 29, 2021

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*