

In the High Court of Punjab and Haryana at Chandigarh

107+247

CRM-M-27549-2021 (O & M)
Date of Decision: October 26, 2021

GOBIND @ GOBINDA

....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Ravi Malik, Advocate for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana.

Mr. Kartik, Advocate for
Mr. Sudhir Rana, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J (ORAL)

CRM-27727-2021

This application is for placing on record documents as Annexures
P-3 to P-9.

Issue notice to the respondent.

At the asking of the Court, Mr. Kirpal Singh Thakur, AAG,
Haryana accepts notice on behalf of the respondent-State.

For the reasons stated in the application, the same is allowed and
Annexures P-3 to P-9 are taken on record.

Main Case

The petitioner is seeking regular bail in FIR No.55 dated
24.09.2020, under Sections 323, 406, 498-A, 506 and 315 IPC, registered at
Police Station Women Police Station, Assand, District Karnal.

Learned counsel for the petitioner contends that it is alleged that the petitioner had kicked his wife in the stomach which has led to the miscarriage. She was 02 months pregnant at that time. He, however, contends that the incident was alleged to have taken place on 15.02.2020 but the complaint was filed after 09 days i.e. on 24.02.2020. The petitioner is in custody for almost a year. The trial has not commenced due to Covid-19 pandemic.

Learned State counsel has filed custody certificate which indicates that the petitioner is in custody for 11 months and 15 days. He states that the challan has been filed but no prosecution witness has been examined.

Learned counsel for the complainant states that in view of the serious allegation against the petitioner, he is not entitled to the concession of regular bail.

Heard.

In view of the above, especially when the petitioner is in custody for almost a year, 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

October 26, 2021
A.Kaundal

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