

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

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**CRM-M-23651-2020 (O&M)
DATE OF DECISION: 12.10.2021**

DHARAMBIR

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

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

Ms. Aditi Girdhar, AAG, Haryana.

Mr. Rajender Singh Malik, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.196 dated 23.05.2019, under Sections 302, 452, 109 read with Section 34 IPC, registered at Police Station Rai, District Sonapat.

Learned counsel for the petitioner contends that the petitioner was allegedly armed with a 'dav' while the co-accused Davinder was armed with a pistol. It is alleged that the co-accused Davinder had fired a shot which hit the deceased. Thereafter, the petitioner is alleged to have taken the gun from the co-accused Davinder and fired a shot at the deceased. He further contends that the story with regard to the implication of the petitioner appears to be doubtful as the petitioner was stated to be armed with 'dav' but there is no injury with 'dav'. The sister of the petitioner namely Manisha was being harassed by the deceased and it is alleged that the accused had said at the time of the occurrence that the deceased should not escape as he ruined the life of Manisha. The petitioner does not have any

criminal antecedents. He is in custody for over 2 years and 3 months.

Learned State counsel has filed custody certificate which indicates that the petitioner is in custody for over 2 years, 2 months and 27 days. She also states that the 14 out of 23 prosecution witnesses have been examined.

Learned counsel for the complainant contends that in view of the serious allegations 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 about 2 years and 3 months, the petitioner does not have any criminal antecedents, 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.

(ANUPINDER SINGH GREWAL)
JUDGE

12.10.2021

SwarnjitS

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