

**205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

Decided on : 24.02.2021

CRM-M-28672-2020

Parveen Petitioner

Versus

State of Haryana Respondent

CRM-M-26009-2020

Sonu Petitioner

Versus

State of Haryana Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. M.K.Garg, Advocate
for the petitioner in CRM-M-28672-2020.

Mr. Rakesh Gupta, Advocate
for the petitioner in CRM-M-26009-2020.

Ms. Tanushree Gupta, DAG, Haryana.

Manjari Nehru Kaul, J.

This order shall dispose off two criminal petitions bearing CRM-M-28672 and 26009 of 2020 as both of them have arisen out of the same FIR. The brief facts of the case are taken from CRM-M-28672-2020.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner(s) in case FIR No.206 dated 17.08.2018 registered under Sections 148, 323, 325, 341 and 506 IPC,1860 (Section 302 IPC added later on) at Police Station Narwana Sadar District Jind.

Learned counsel for the petitioner(s) inter alia contends that the

petitioner(s) has been in custody since 04.09.2018 and only 9 out of 29 prosecution witnesses cited have been examined so far. He further contends that the petitioner(s) has not been attributed any injury much less fatal injury on the person of the deceased and has only been attributed a simple abrasion on the person of the injured Mahender. Hence, prayer has been made to extend the concession of regular bail to the petitioner(s).

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner(s) has not been able to controvert the factum of the petitioner(s) not having inflicted any injury on the person of the deceased. He on instructions from ASI Satpal has rather admitted that both the petitioners have been attributed simple injury on the person of the injured Mahender.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner(s) has been in custody since 04.09.2018, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, the present petition(s) is allowed and the petitioner(s) is/are admitted to bail to the satisfaction of the 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

24.02.2021
sonia

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No