

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

CRM-M-28840-2020
Decided on : 19.01.2021

Ravi @ Dhillu

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Abhimanyu Singh, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

Mr. Jagbir Singh, Advocate
for the complainant.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.128 dated 13.05.2020 registered under Sections 302 and 34 IPC,1860 at Police Station Badhra District Charkhi Dadri.

Learned counsel for the petitioner inter alia contends that a false case has been planted on the petitioner, which is evident from the fact that on the one hand in the FIR in question the allegations levelled against the petitioner was that he had slapped the deceased and on the other hand while inviting the attention of this Court to the clinical notes (Annexure P-1) recorded by the doctor, it was recorded as “Fall from floor today, H/o Ingestion of alcohol substance c/o Note speaking and responding well.” He further submits that the occurrence in question was allegedly witnessed by the complainant-brother, and it was he who admitted the deceased in the

hospital, however, a perusal of the MLR clearly revealed that the version given to the doctor at the time of his admission was contradictory to the version given in the FIR by the complainant. Learned counsel for the petitioner submits that the petitioner has been in custody since 13.05.2020 and only challan has been presented till date, hence, there is no likelihood of trial concluding in the near future. Thus, it has been prayed that the petitioner may be extended the concession of regular bail.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner on instructions from SHO, P.S. Badhra has submitted that charges could not be framed on account of the outbreak of pandemic Covid-19 and would be framed in the near future.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 13.05.2020, 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 is allowed and the petitioner is 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

19.01.2021
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No