

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

(Through Video Conferencing)

CRM-M-32547-2020

Date of Decision: 07.01.2021

CHARANJOT ALIAS JOT

.....*Petitioner*

V/s.

STATE OF HARYANA

.....*Respondent*

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

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

Mr. Arun Beniwal, Deputy Advocate General, Haryana.

Mr. Shailendar Singh Gill, Advocate,
for the complainant.

MANJARI NEHRU KAUL, J. (Oral)

Instant petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.331 dated 29.06.2020 registered under Section 148, 149, 323, 324, 506 of the Indian Penal Code, 1860 and Section 325, 307 of the IPC, 1860 and Sections 3(1)(s), 3(2) (v), (va) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 added later on, at Police Station, Shahbad, District Kurukshetra, Haryana.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the case in hand. He has further submitted that the petitioner has been in custody since 12.07.2020 and the trial is unlikely to conclude in the near future as only challan has been presented so far. He has further submitted that even a perusal of the FIR clearly reveals that an exaggerated and fabricated version has been put forth by the

itself raises a big question mark. Though the complainant has stated in the FIR that he too had received injuries in the alleged occurrence, however, there was no medical evidence in support thereof.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions from DSP Aatma Ram, has submitted that the challan was presented before the trial Court and charges are likely to be framed on the next date of hearing. He has also fairly conceded on instructions that there is no Medico Legal Record with respect to the injuries sustained to the complainant.

Heard.

In view of the submissions made by learned counsel for the petitioner and the fact that the petitioner has been in custody since 12.07.2020, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic COVID-19. 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.

January 7, 2021

Ess Kay

**[MANJARI NEHRU KAUL]
JUDGE**

<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	/	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	/	<i>No</i>