

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-36336-2020

DATE OF DECISION: 06.08.2021

DHARMENDER

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Sandeep Gehlawat, Advocate for the petitioner.

Mr. Deepak Bhardwaj, DAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.171 dated 11.03.2020, under Sections 148, 149, 201, 302, 323, 342 IPC registered at Police Station Shivaji Colony Rohtak, District Rohtak.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and has been arraigned as an accused on the supplementary statement of the complainant recorded 2 days after the incident. The alleged incident took place on the intervening night of 9/10.03.2020. The deceased Kulbir Singh was initially medically examined at PGIMS Rohtak on 10.03.2020 and there were only 2 bruises. There was only one bruise in the pelvic region and he had complained of pain in the right lower chest but there was no external injury. He had been discharged on 10.03.2020 and was admitted at PGIMS Rohtak on 11.03.2020 and the doctor declared him as having brought dead at 05:30 p.m. He, however, contends that the post mortem report indicates that there are about 20 bruises and the cause of the death were injuries. The opinion of doctor is as follows:

“I/We are of the opinion that cause of death in this case is injuries described and its complication when the deceased was suffering from both coronary arteries atherosclerosis.”

The petitioner is in custody for about 1 year and 2 months. He is not involved in any other criminal case. The co-accused namely Anil Kumar

@ Chhota has been granted regular bail by this court on 29.06.2021 in CRM-M-22777-2021.

Learned State counsel, upon instructions from Inspector Suresh Kumar, contends that challan has been filed and 5 out of 24 prosecution witnesses have been examined.

Heard.

In view of the above, especially when the co-accused has been granted regular bail, he is not involved in any other case, petitioner is in custody for over 1 year and 2 months, 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

06.08.2021

SwarnjitS

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